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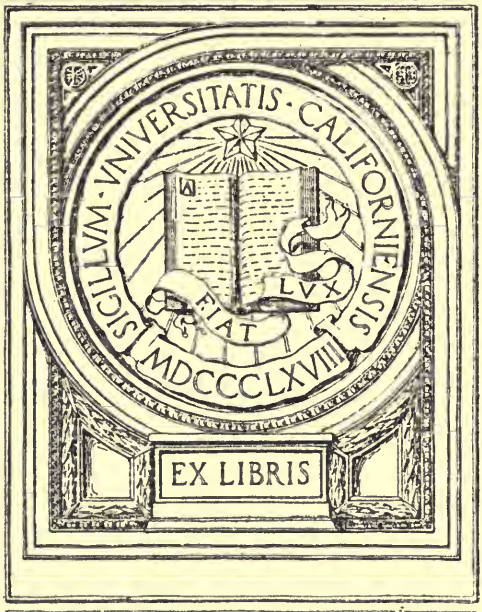

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TRANSLATIONS AND REPRINTS

FROM THE

ORIGINAL SOURCES OF EUROPEAN HISTORY.

VOL. III. THE FOURTH CRUSADE. No. I.

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I. *THE PREPARATIONS FOR THE CRUSADE.*

Taught by the experience of the earlier crusaders, the barons resolved to go by sea. Venice was the city that seemed most able to furnish sufficient vessels. Accordingly, Ville-Hardouin and five other embassadors were sent to make a bargain with the Venetians. The official compact is given in full in *Muratori: Rerum Italicarum Scriptores*, vol. xii, 323, and in Bouquet: *Rerum Gallicarum et Francicarum Scriptores*, vol. xviii, 436. The most important difference between that and Ville-Hardouin's version is that, according to the compact, the expedition was to start on St. Peter and St. Paul's day.

For the events preliminary to the crusade, as well as for all the matters connected with it, consult Pears' excellent book, *The Fall of Constantinople*.

The second extract relates to one of the most hotly debated subjects connected with the crusade. Did Venice treacherously make a treaty with the sultan of Egypt? If she did, her conduct and the diversion of the crusade are more easily explained. Pears, pp. 263 ff, believes such a treaty was made, and quotes references to support his view. But Wailly, in a very able discussion, pp. 431 ff, brings out the difficulty in reconciling the dates, and endeavors to show that this *L'Estoire de Eracles* is entirely untrustworthy. Consult also Heyd: *Levantehandel*, I, 292 ff. and 440 ff.

The third extract is self-explanatory. Ville-Hardouin and Robert de Clari are the most important authorities for the fourth crusade. The first was one of the leaders and gave an official, "inspired" account. The second was one of the poorer knights and is especially useful as he told what the bulk of the army knew and thought, and enables us to check the statements of Ville-Hardouin.

1. *The compact with the Venetians.*

Ville-Hardouin: Conquête de Constantinople,[1] ch. iv, v, vi, Nos. 18, 24, 30. Old French.

18. "Sire, we have come to you in behalf of the noble barons of France who have taken the cross in order to avenge the shame of Jesus Christ and to reconquer Jerusalem, if God will permit. And because they know no people who are as able to assist them as you and your people, they pray you, for God's sake, to pity the land of *Outre-mer* and the shame of Jesus Christ, and to endeavor to furnish them transports and ships of war."

19. "Under what conditions?" asked the doge.

"Under any conditions that you may propose or advise, if they are able to fulfill them," replied the messengers.

"Certainly," replied the doge, [to his associates] "it is a great undertaking that they have asked of us and they seem to be considering an important matter;" [to the messengers] "we will give you an answer in a week, and do not wonder if the time seems long, for such a great undertaking deserves much thought."

[1] Second edition of Wailly.

20. At the time fixed by the doge, they returned to the palace. I can not tell you all that was said, but the conclusion of the conference was as follows:

"My lords," said the doge, "we will tell you what we have decided, if we can get the Grand Council and the people of the country to agree to it; and you shall decide whether you can fulfill your part.

21. "We will furnish *huissiers*[1] for carrying 4,500 horses and 9,000 esquires, and vessels for 4,500 knights and 20,000 foot-soldiers. The agreement shall be to furnish food for nine months for all these horses and men. That is the least that we will do, on condition that we are paid four marks per horse and two marks per man.

22. "And we will observe all these conditions which we explain to you, for one year, beginning the day we leave the harbor of Venice to fight in the service of God and of Christianity, wherever we may go. The sum of these payments indicated above amounts to 85,000 marks.[2]

23. "And we will do still more: we will add fifty armed galleys, for the love of God; on the condition that as long as our alliance shall last, of every conquest of land or money that we make, by sea or land, we shall have one-half and you the other. Now deliberate whether you can fulfill these conditions."

24. The messengers went away, saying that they would talk it over and reply the next day. They consulted and discussed that night and then resolved to agree to it. The next day they went to the doge and said: "Sire, we are ready to make this agreement." The doge said that he would speak to his people and tell them the result.

. . . . . .

30. It was explained in council that they would go to Babylon,[3] because at Babylon they could do more injury to the Turks than anywhere else. And in public it was announced that they would go across the sea. It was then Lent [March, 1201], and on St. John's day the following year, the 1202nd year after the Incarnation of Jesus Christ, the barons and pilgrims were to be at Venice and the vessels were to be ready on their arrival.

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[1] *Huissiers* were vessels having a door, *huis*, in the stern, which could be opened so as to take in the horses. See Archer: *Crusade of Richard I.*, p. 49, note, and p. 57, note.

[2] According to Wailly, p. 452, this sum would be equal to 4,420,000 francs in silver.

[3] Cairo.

2. *Compact of the Venetians with the Sultan of Babylon.*

L'Estoire de Eracles Empereur, xxviii, 2, in Recueil des historiens des Croisades, hist. occ., II, 251–252. Old French.

[A. D. 1199?] After this he [the sultan of Babylon] summoned messengers and servants and sent them to Venice, loaded with great wealth and great riches. He sent them to the doge and gave beautiful presents to the Venetians, and commanded the latter, if they could do so, not to go to the land of Egypt; he would give them great treasures and many privileges in the port of Alexandria. The messengers went to Venice, did as they were commanded, and returned as quickly as possible.

3. *The crusaders unable to pay the Venetians.*

Robert de Clari: La Prise de Constantinople, xi and xii, in Hopf: Chroniques Gréco-Romanes, pp. 7–9. Old French.

XI. . . While the pilgrims were staying on the island of St. Nicholas,[1] the doge of Venice and the Venetians went to speak to them and demanded the pay for the navy which had been prepared. And the doge said to them that they had acted wrongly in commanding through their messengers that vessels should be prepared for 4,000 knights and their equipment, and for 100,000 foot- soldiers. Of these 4,000 knights, there were not more than 1,000 present, for the others had gone to other ports. And of these 100,000 foot-soldiers there were not more than 50,000 or 60,000. "Nevertheless," said the doge, "we want you to pay us the sum which you promised." When the crusaders heard this, they debated and arranged that each knight should pay four marks and four marks for each horse, and each esquire two marks; and those who paid less, should pay one mark. When they collected this money, they paid it to the Venetians. But 50,000 marks still remained due.

When the doge and the Venetians saw that the pilgrims had not paid more, they were all so incensed that the doge said to the pilgrims: "My lords, you have imposed upon us shamefully. For, as soon as your messengers had made the agreement with me and my people, I issued orders throughout my whole land that no merchant should undertake a voyage, but all were to aid in preparing this fleet. They have been waiting ever since and have gained nothing for the last year and a half; and, accordingly, they have lost much. Therefore my

[1] The Lido.

men and I want you to pay us the money which you owe us. If you do not pay us, you shall not leave this island before we get our money; and no one shall bring you anything to eat or drink." The doge, however, was a very excellent man and did not prevent the people from bringing enough food and drink.

XII. When the count and the crusaders heard what the doge said they were much troubled and grieved. They made another collection and borrowed all the money they could from those who were thought to have any. They paid it all to the Venetians, but after this payment 36,000 marks still remained due. They said to the Venetians that they had been imposed upon; that the army was greatly impoverished by this last collection; that they could not pay any more money at all, for they had hardly enough to support the army.

When the doge perceived that they could not pay all the money and that they were in sore straits, he said to his people: "Sirs, if we let these people go back to their own country, we shall always be considered base and tricky. Let us go to them and say that, if they are willing to pay us the 36,000 marks which they owe us out of their part of the first conquests which we make, we will carry them across the sea." The Venetians were well pleased with the doge's proposition. Accordingly, they went to the camp of the pilgrims. When they came thither, the doge said to the crusaders: "Sires, we have agreed, I and my people, that if you are willing to guarantee faithfully to pay us the 36,000 marks, which you owe us, out of your share of the first conquests, we will carry you across the sea."

When the crusaders heard what the doge proposed they were very glad and fell at his feet for joy. They bound themselves very willingly to do faithfully what the doge had proposed. They were so joyous that night that there was no one so poor that he did not make a great illumination, and each one carried great torches made of candles on the end of his lance, both outside of the camp and inside, so that the whole army seemed intoxicated.

II. *THE DIVERSION TO ZARA.*

According to Robert de Clari there were two separate propositions made by the doge; the one, given above, which was received so joyfully, and a second, given below, which was kept secret. Ville-Hardouin would have us understand that there was but one proposition, namely, to capture Zara. In fact, the official account given by Ville-Hardouin differs in many respects from the non-official versions of Robert, Gunther and others. Gunther, ch. vi, describes how unwilling many were to go to

Zara. The pope, who had learned something of the plan, protested vigorously against an attack on a Christian city. We see clearly from Ville-Hardouin's own account, given in the second extract, that there were many in the army opposed to the plan.

1. *The new agreement with the Venetians.*

Robert de Clari, xiii, in Hopf: Chroniques, p. 9. Old French.

Afterwards the doge came to the army and said: "Sirs, it is now winter, we cannot cross the sea, nor does this depend upon me. For I would have had you cross already, if it had not depended upon you. But let us do the best we can. There is a city near here, named Zara. The people of this city have done us much evil, and I and my men want to punish them, if we can. If you will take my advice, we will go there this winter and stay until Easter. Then we will make ready our navy and go to *Outre-mer* at Lady-day. The city of Zara is very rich and well supplied with all kinds of provisions." The barons and the nobles among the crusaders agreed to what the doge proposed. But no one in the army knew this plan, except the leaders.

2. *The capture of Zara.*

Ville-Hardouin, ch. xvii–xviii, Nos. 80–84, 86. Old French.

80. The day after the feast of St. Martin,[1] some people from Zara came to speak to the doge of Venice, who was in his tent. They said to him that they would surrender the city and all their property to his mercy, if their lives were spared. The doge said that he would not accept these or any other conditions without the advice of the counts and barons, and that he would go and discuss the matter with them.

81. While he went to talk to the counts and barons, that party, of which I have already spoken, who wanted to break up the army, said to the messengers: "Why do you want to surrender your city? The pilgrims will not attack you and you have nothing to fear from them. If you can defend yourselves against the Venetians, you need have no anxiety." And they sent one of them, Robert de Boves, who went to the walls of the city and announced the same thing. So the messengers returned to the city and the plan of surrender was given up.

82. The doge of Venice, when he came to the counts and barons, said to them: "Sirs, the people yonder want to surrender the city to my mercy, on condition that their lives be spared. But I will not make this agreement or any other without your advice." The barons

[1] Nov. 12, 1202.

replied: "Sire, we advise you to make this agreement and we pray you to do so." He said he would, and they all went back together to the doge's tent to make this agreement. They found that the messengers had gone away, following the advice of those who wanted to break up the army.

83. Then the abbot of Vaux of the order of Citeaux rose and said to them: "Sirs, I forbid you, in the name of the Pope at Rome, to attack this city; for the inhabitants are Christians and you are pilgrims." When the doge heard this he was much irritated and troubled. He said to the counts and barons: "Sirs, this city was practically in my power, and your people have taken it from me; you had promised that you would aid me in conquering it; now I require you to do so."

84. Then the counts and barons and those who belonged to their party held a conference and said: "Those who have prevented this agreement have committed a very great outrage, and it was not right for them to try to break up the army. Now we shall be disgraced, if we do not aid in capturing the city." They went to the doge and said to him: "Sire, we will aid you in capturing the city, in spite of those who wish to prevent it."

. . . . . .

86. Accordingly the city was surrendered to the mercy of the doge of Venice, on condition that the lives of the inhabitants should be spared. Then the doge went to the counts and barons and said to them: "Sirs, we have conquered this city, by the grace of God and through your aid. It is now winter and we can not leave here until Easter. For we should find no provisions elsewhere; and this city is very rich and very well supplied with everything needful. Let us divide it accordingly into two parts; we will take one-half of it and you the other half."

III. *THE DIVERSION TO CONSTANTINOPLE.*

Pears, in his preface and on pp. 267 ff, discusses the causes of the diversion and gives the most important references. But as he has formed his own conclusions and argues for his own belief, consult also

Tessier; *La Diversion sur Zara et Constantinople.* Paris, 1884.

Streit: *Venedig und die Wendung des vierten Kreuzzuges gegen Constantinopel.* Anklam, 1877.

Winkelmann: *Philip von Schwaben und Otto IV. von Braunschweig*, Vol. I. Leipzig, 1873. (*Jahrbücher der deutschen Geschichte.*)

1. *The summons to Alexis.*

Robert de Clari, xvi–xvii, in Hopf: Chroniques, pp. 11–12. Old French.

XVI. In the meantime the crusaders and the Venetians remained at Zara during the winter. They considered how great the expense had been and said to one another that they could not go to Babylon or Alexandria or Syria; for they had neither provisions nor money for the journey. They had already used up everything they had, either during the sojourn that they had made or in the great price that they had paid for the vessels. They said that they could not go and, even if they should go, they would accomplish nothing; they had neither provisions nor money sufficient to support them.

XVII. The doge of Venice saw clearly that the pilgrims were ill at ease. He addressed them, saying: "Sirs, Greece is a very rich land and bountifully supplied with everything. If we can find a sufficient excuse for going there and taking food and other things, so as to recuperate ourselves, it would seem to me advisable, and then we could easily go across the sea." Then the marquis[1] rose and said: "Sir, I was in Germany at the emperor's[2] court last Christmas. There I saw a young man who was the emperor's brother in law.[3] This young man was the son of the emperor *Kyrsac*[4] of Constantinople from whom his brother had taken the empire of Constantinople by treason. Whoever could get this young man," said the marquis, "could certainly go to the land of Constantinople and take provisions and other things; for this young man is the rightful heir."

2. *The proposition made by King Philip.*

Ville-Hardouin, ch. xix–xx, Nos, 91–99. Old French.

91. . . "My lords, king Philip sends us to you and sends also the son of the emperor of Constantinople, who is his wife's brother.

92. "My lords, says the king, I shall send you my wife's brother; I place him in the hands of God (may He preserve him from death!), and in your hands. Since you are fighting for God, for the right and for justice, you ought, if it lies in your power, to restore to their

[1] Boniface, marquis of Montferrat, the leader of the crusaders.

[2] Philip of Suabia.

[3] Alexis IV., brother of the queen Irene.

[4] Isaac (II.) Angelos.

inheritance those who have been wrongfully dispossessed. He [Alexis] will make with you the best agreement which has ever been made by any one, and he will give you the most powerful aid in conquering the land of *Outre-mer*.

93. "In the first place, if God permits you to restore him to his inheritance, he will put all the empire of Romania under the obedience of Rome, from which it has been separated for a long time. In the second place, he knows that you have spent your property and that you are poor; he will give you 200,000 marks of silver and provisions for all the members of the army, humble and noble. He will himself go with you to the land of Babylon or will send thither with you (if you think it better) 10,000 men at his expense. This service he will perform for you during one year. And so long as he lives, he will maintain at his own expense 500 knights in the land of *Outre-mer*, to guard the land.[1]

94 ."My lords, we have full power," said the messengers, "to make this agreement, if you wish to do so. And be sure that such a fine offer was never made to any one, and he who refuses this can have no great desire to conquer." The leaders said that they would discuss the matter, and an assembly was appointed for the next day. When the host had assembled this offer was presented to them.

95. There it was hotly discussed, "pro and con." The abbot of Vaux of the order of Citeaux and the party that wanted to break up the army said that they would not agree to it; it was fighting against Christians; they had not set out for this purpose, but they wanted to go to Syria.

96. The other party replied: "Good sirs, in Syria you can do nothing, you can see that clearly from those who have left us and gone to other ports. You know that it is through the land of Babylon or through Greece that the land of *Outre-mer* will be reconquered, if it is ever recovered. If we refuse this offer, we shall always be ashamed."

97. The army was in discord just as you have heard. And do not wonder that the laymen could not agree; for the white monks of the order of Citeaux in the army were also in discord. The abbot of Loos, who was a very holy and excellent man, and the other abbots who agreed with him, preached to the people and cried out to them

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[1] For other terms offered, omitted by Ville-Hardouin, see Pears, 281; see also p. 11, below.

to have mercy, saying that, for God's sake, they ought to keep the army together and to make this agreement; "for it is the best means of recovering the land of *Outre-mer*." And the abbot of Vaux in his turn, and those who agreed with him, preached very frequently and said that that was all wrong; that they ought to go to the land of Syria and do what they could.

98. Then the marquis Boniface of Montferrat, Baldwin, count of Flanders and Hainault, count Louis and count Hugh of St. Pol and those who belonged to their party went and said that they would make this agreement; for they would be ashamed to refuse it. So they went to the doge's lodging and the messengers were summoned. They concluded the agreement, just as you have heard it above, by their oaths and by sealed compacts.

99. And in regard to this matter, the book tells you that there were only twelve of the French who made their oaths; and they could not get any more. Of these, the first was the marquis of Montferrat, count Baldwin of Flanders, count Louis of Blois and Chartres, the count of St. Pol, and eight others who agreed with them. So the compact was made, the securities given, and the time fixed when the heir of Constantinople should come; it was to be a fortnight after Easter.

3. *The discussion after the arrival of Alexis.*

Robert de Clari, xxxiii, in Hopf: Chroniques, p. 24. Old French.

Then all the barons of the army and the Venetians were summoned. When they had all assembled, the doge of Venice rose and said to them: "My lords, we have now a sufficient excuse for going to Constantinople, if you think it wise, for we have the lawful heir." Now some who did not want to go to Constantinople, spoke thus: "Bah! what are we going to do at Constantinople? We have our pilgrimage to make and intend to go to Babylon or Alexandria. Our ships are rented for only one year and the year is already half over."

The others said in reply: "What are we going to do at Babylon or Alexandria, since we have neither provisions nor money enough to go? It is better to go where we have a sufficient excuse for obtaining money and provisions by conquest, than to go where we shall die of hunger. Then we can do it, and he offers to go with us and to pay for our ships and our navy another year at his own expense." And the marquis of Montferrat did all in his power to urge our going to

Constantinople, because he wished to take vengeance for a wrong which the emperor of Constantinople had done him.

IV. *THE DIFFICULTIES WITH ALEXIS.*

It had been very easy for Alexis in exile to make great promises. When his father was replaced on the throne and he himself was crowned co-emperor, they found it absolutely impossible to fulfill the conditions which Alexis had offered, and to which Isaac had been obliged to agree.

1. *The first payment.*

Robert de Clari, lvi, in Hopf: Chroniques, pp. 46–47. Old French.

Afterwards all the barons assembled one day at the palace of the emperor[1] and demanded of him their pay. He replied that he would pay them, but he wished first to be crowned. Accordingly they made preparations and set a day for the coronation. On that day he was crowned emperor with due ceremony, with the consent of his father, who willingly granted it. After he had been crowned the barons demanded their pay. He said he would very willingly pay what he could and at that time he paid 100,000 marks. Of this sum the Venetians received one-half; for they were to receive one-half of the conquests. Of the 50,000 which remained, 36,000, which the Franks still owed for the vessels, were paid to the Venetians. And all those who had advanced money to pay for the passage were paid out of the 14,000 marks which the pilgrims had left.

2. *The public defiance.*

Ville-Hardouin, ch. xlvi, Nos. 212–215. Old French.

212. They dismounted from their horses at the gate, entered the palace and found the emperor Alexis and the emperor Isaac, his father, seated upon two thrones, side by side. Near them was seated the empress, who was the father's wife, the son's step-mother, and the sister of the king of Hungary; a beautiful and good lady. A great number of nobles were with them; and it certainly seemed the court of a rich prince.

213. According to the agreement with the other messengers,[2] Conon of Bethune, who was very rich and very eloquent, spoke: "Sire, we have been sent to you by the barons of the army and by the doge of

[1] Alexis. The crusaders rarely speak of Isaac as emperor.

[2] Ville-Hardouin was one of the messengers.

Venice. Know that they reproach you because of the great service which they have done you, which everybody knows and which is apparent to you. You have sworn to them, you and your father, to keep the agreement that you have made with them; and they have your written compact. You have not kept your agreement with them as you ought.

214. "They have summoned you many times, and we summon yon in their name, before all your barons, to keep the agreement which you have made with them. If you do so, all will be well; if you do not keep it, know that in the future they will consider you neither as lord nor as friend; but they will try to get their rights in any way they can. They announce to you that they would injure neither you, nor any one else, before the defiance; for they have never acted treasonably, and in their country it is not the custom to do so. You have heard what we have said to you and you can do as you please."

215. The Greeks marveled much at this defiance and great insult. They said that no one had ever been so bold before as to defy the emperor of Constantinople in his own halls. The emperor Alexis looked savagely at the messengers, and so did all the Greeks, though they had on many occasions in the past looked very friendly.

3. *The Doge's threat.*

Robert de Clari, lix, in Hopf: Chroniques, pp. 48–49. Old French.

At these words the barons left the palace and returned to their camp. After returning they deliberated upon the course to follow. Meanwhile they sent two knights to the emperor and demanded again that he should pay them. He replied to the messengers that he would pay nothing, he had already paid too much, and that he was not afraid of any one. He also commanded them to go away and leave his land; they were to understand that if they did not depart, he would injure them. Then the messengers went back and told the barons the emperor's reply. When the barons heard this, they deliberated as to what they should do. The doge said that he wanted to speak to the emperor.

He sent a messenger to demand that the emperor should come to the harbor to speak to him. The emperor went on horseback. The doge prepared four armed galleys; he went in one and took the other three for protection. When he was near the shore he saw the emperor who had come on horseback. He addressed the latter as follows:

"Alexis, what do you think you are going to do? Remember we have raised you from a very humble estate. We have made you lord and crowned you emperor. Will you not keep your agreement with us and will you not do more?" "No," replied the emperor, "I will not do anything more." "No?" said the doge, "wretched boy, we have raised you from the mire,[1] and we will throw you into the mire again; and be sure that I will do you all the injury that I can, from this time on."

V. *THE SACK OF CONSTANTINOPLE.*

In spite of the previous dissensions the crusaders were practically compelled to act as a unit in the final attack on Constantinople. Some of those who had been most opposed to the diversion of the expedition had left the army. The argument employed by the bishops in the first extract seems to have removed doubts still lingering in the minds of many.

The compact of division was made before the capture of the city. Ville-Hardouin's account is followed because it is accurate and brief. The text is given in Migne: *Patrologiae*, Vol. 215, Col. 517–519, and is reprinted in Tessier: *Diversion sur Zara et Constantinople*. For further particulars see Pears, 337, ff.

The account of the sack, given by Nicetas, is not exaggerated, as is proved by the letters of Innocent III. (especially Bk. viii, Ep. 133), and the statement of many other contemporaries; see Riant: *Exuviae sacrae Constantinopolitanae*, passim. We regret that we have not space for other extracts from Nicetas, such as his account of how he saved his future bride when she was being carried off by a crusader; his description of the statues that were destroyed (Pears, p. 355, translates his account of Helen), and many other picturesque passages. Gibbon, Ch. LX, can still be read with profit. Wilken: *Geschichte der Kreuzzüge*, Vol. V, gives a long account of the destruction of the works of art in the "*Beylagen*." References might be indefinitely multiplied, but Riant: *Exuviae* contains the most important.

The last two extracts are added because they show so fully the feelings of the age and give some indication of the immense quantity of relics brought from Constantinople.

1. *The sermons before the final attaek on Constantinople.*

Robert de Clari, ch. lxxii–lxxiii, in Hopf: Chroniques, pp. 57–58. Old French.

LXXII. When the pilgrims saw this,[2] they were very angry and grieved much; they went back from the other side of the harbor to their lodgings. When the barons had returned and had gotten ashore, they assembled and were much amazed, and said that it was on account of their sins that they did not succeed in anything and could not capture the city. Meanwhile the bishops and the clergy in the

[1] A coarse expression in the original.

[2] That the attack was repulsed.

army debated and decided that the war was a righteous one, and that they certainly ought to attack the Greeks. For formerly the inhabitants of the city had been obedient to the law of Rome and now they were disobedient, since they said that the law of Rome was of no account, and called all who believed in it "dogs." And the bishops said that for this reason one ought certainly to attack them, and that it was not a sin, but an act of great charity.

LXXIII. Then it was announced to all the host that all the Venetians and every one else should go and hear the sermons on Sunday morning;[1] and they did so. Then the bishops preached to the army, the bishop of Soissons, the bishop of Troyes, the bishop of *Havestaist*[2] master Jean Faicette,[3] and the abbot of Loos, and they showed to the pilgrims that the war was a righteous one; for the Greeks were traitors and murderers, and also disloyal, since they had murdered their rightful lord, and were worse than Jews. Moreover, the bishops said that, by the authority of God and in the name of the pope, they would absolve all who attacked the Greeks. Then the bishops commanded the pilgrims to confess their sins and receive the communion devoutly; and said that they ought not to hesitate to attack the Greeks, for the latter were enemies of God. They also commanded that all the evil women should be sought out and sent away from the army to a distant place. This was done; the evil women were all put on a vessel and were sent very far away from the army.

2. *The compact of division.*

Ville-Hardouin, ch. li, Nos. 234–235. Old French.

234. Then the members of the host debated and consulted upon the best course to pursue. The discussion was long and stormy, but the following was the result of the deliberation: If God granted that they should capture the city, all the booty that was taken should be brought together and divided fairly, as was fitting. And, if they captured the city, six[4] men should be chosen from the Franks[5] and six from the Venetians; these were to take oath upon relics that they

[1] Apr. 11, 1204.

[2] Halberstadt.

[3] De Noyon, chancellor of Baldwin of Flanders.

[4] Robert de Clari says ten.

[5] A collective name for all the crusaders.

would elect as emperor him whom they should judge to be the most useful for the good of the land. And he whom they chose as emperor should have one-quarter of all the conquests both in the city and outside; and in addition he should have the palace of the Lion's mouth and of Blachern. The other three-quarters shoud be divided into two parts, one-half for the Venetians and one-half for the crusaders. Then twelve from the wisest of the army of the pilgrims and twelve of the Venetians should be chosen to divide the fiefs and the offices among the men and to define the feudal service which each one owed to the emperor.

235. This compact was guaranteed and sworn to both by the Franks and the Venetians, with the condition that any one who wished could go away within one year from the end of March. Those who remained in the country must perform the feudal service to the emperor, as it might be arranged. Then the compact was made and sworn to and all who should not keep it were excommunicated by the clergy.

3. *Account of the sack.*

Nicetas: Alexii Ducae Imperium, ch. iii–iv, in Recueil des historiens des Croisades, hist. grec., I, 397. Greek.

3. . . How shall I begin to tell of the deeds wrought by these nefarious men! Alas, the images, which ought to have been adored, were trodden under foot! Alas, the relics of the holy martyrs were thrown into unclean places! Then was seen what one shudders to hear, namely, the divine body and blood of Christ was spilled upon the ground or thrown about. They snatched the precious reliquaries, thrust into their bosoms the ornaments which these contained, and used the broken remnants for pans and drinking cups,—precursors of Anti-christ, authors and heralds of his nefarious deeds which we momentarily expect. Manifestly, indeed, by that race then, just as formerly, Christ was robbed and insulted and His garments were divided by lot; only one thing was lacking, that His side, pierced by a spear, should pour rivers of divine blood on the ground.

Nor can the violation of the Great Church[1] be listened to with equanimity. For the sacred altar, formed of all kinds of precious materials and admired by the whole world, was broken into bits and distributed among the soldiers, as was all the other sacred wealth of so great and infinite splendor.

[1] St. Sophia.

When the sacred vases and utensils of unsurpassable art and grace and rare material, and the fine silver, wrought with gold, which encircled the screen of the tribunal and the ambo, of admirable workmanship, and the door and many other ornaments, were to be borne away as booty, mules and saddled horses were led to the very sanctuary of the temple. Some of these which were unable to keep their footing on the splendid and slippery pavement, were stabbed when they fell, so that the sacred pavement was polluted with blood and filth.

4. Nay more, a certain harlot, a sharer in their guilt, a minister of the furies, a servant of the demons, a worker of incantations and poisonings, insulting Christ, sat in the patriarch's seat, singing an obscene song and dancing frequently. Nor, indeed, were these crimes committed and others left undone, on the ground that these were of lesser guilt, the others of greater. But with one consent all the most heinous sins and crimes were committed by all with equal zeal. Could those, who showed so great madness against God Himself, have spared the honorable matrons and maidens or the virgins consecrated to God?

Nothing was more difficult and laborious than to soften by prayers, to render benevolent, these wrathful barbarians, vomiting forth bile at every unpleasing word, so that nothing failed to inflame their fury. Whoever attempted it was derided as insane and a man of intemperate language. Often they drew their daggers against any one who opposed them at all or hindered their demands.

No one was without a share in the grief. In the alleys, in the streets, in the temples, complaints, weeping, lamentations, grief, the groaning of men, the shrieks of women, wounds, rape, captivity, the separation of those most closely united. Nobles wandered about ignominiously, those of venerable age in tears, the rich in poverty. Thus it was in the streets, on the corners, in the temple, in the dens, for no place remained unassailed or defended the suppliants. All places everywhere were filled full of all kinds of crime. Oh, immortal God, how great the afflictions of the men, how great the distress!

4. *Abbot Martin's theft of relics.*

Gunther: Historia Constantinopolitana, ch. xix, in Riant: Exuviae, Vol. I, 104 ff. Latin.

While the victors were rapidly plundering the conquered city, which was theirs by right of conquest, the abbot Martin began to cogitate

about his own share of the booty, and lest he alone should remain empty-handed, while all the others became rich, he resolved to seize upon plunder with his own sacred hands. But, since he thought it not meet to handle any booty of worldly things with those sacred hands, he began to plan how he might secure some portion of the relics of the saints, of which he knew there was a great quantity in the city.

Accordingly, having a presentiment of some great result, he took with him one of his two chaplains and went to a church[1] which was held in great reverence because in it the mother[2] of the most famous emperor Manuel[3] had a noble grave, which seemed of importance to the Greeks, but ours held for naught. There a very great amount of money brought in from all the surrounding country was stored, and also precious relics which the vain hope of security had caused them to bring in from the neighboring churches and monasteries. Those whom the Greeks had driven out, had told us of this before the capture of the city. When many pilgrims broke into this church and some were eagerly engaged in stealing gold and silver, others precious stones, Martin, thinking it unbecoming to commit sacrilege except in a holy cause, sought a more retired spot where the very sanctity of the place seemed to promise that what he desired might be found.

There he found an aged man of agreeable countenance, having a long and hoary beard, a priest, but very unlike our priests in his dress. Thinking him a layman, the abbot, though inwardly calm, threatened him with a very ferocious voice, saying: "Come, perfidious old man, show me the most powerful relics you have, or you shall die immediately." The latter, terrified by the sound rather than the words, since he heard but did not understand what was said, and knowing that Martin could not speak Greek, began in the *Romana lingua*, of which he knew a little, to entreat Martin and by soft words to turn away the latter's wrath, which in truth did not exist. In reply, the abbot succeeded in getting out a few words of the same language, sufficient to make the old man understand what he wanted. The latter, observing Martin's face and dress, and thinking it more tolerable that a religious man should handle the sacred relics with fear and reverence, than that worldly men should, perchance, pollute them with

[1] The church of Pantokrator.

[2] Irene, died 1124.

[3] Manuel (I.) Komnenos.

their worldly hands, opened a chest bound with iron and showed the desired treasure, which was more grateful and pleasing to Martin than all the royal wealth of Greece. The abbot hastily and eagerly thrust in both hands and working quickly, filled with the fruits of the sacrilege both his own and his chaplain's bosom. He wisely concealed what seemed the most valuable and departed without opposition.

Moreover what and how worthy of veneration those relics which the holy robber appropriated were, is told more fully at the end of this work.[1] When he was hastening to his vessel, so stuffed full, if I may use the expression, those who knew and loved him, saw him from their ships as they were themselves hastening to the booty, and inquired joyfully whether he had stolen anything, or with what he was so loaded down as he walked. With a joyful countenance, as always, and with pleasant words he said: "We have done well." To which they replied: "Thanks be to God."

5. *List of relics stolen by Abbot Martin.*

Gunther, ch. xxiv, in Riant: Exuviae, Vol. I, p. 120 ff.

Therefore "Blessed be the Lord God, who only doeth wondrous things," who in His unspeakable kindness and mercy has looked upon and made glorious His church at Paris[2] through certain gifts of His grace, which he deigned to transmit to us through the venerable man, already so frequently mentioned, abbot Martin. In the presence of these the church exults and by their protection any soul faithful to God is aided and assisted. In order that the readers' trust in these may be strengthened, we have determined to give a partial list.

First, of the highest importance and worthy of all veneration: A trace of the blood of our Lord Jesus Christ, which was shed for the redemption of all mankind.

Second, a piece of the cross of our Lord on which the Son of the Father, the new Adam, sacrificed for us, paid the debt of the old Adam.

Third, a not inconsiderable piece of St. John, the fore-runner of our Lord.

Fourth, the arm of St. James, the Apostle, whose memory is venerated by the whole church.

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[1] See number 5.

[2] In upper Elsass.

There were also relics of the other saints, whose names are as follows:

Christopher, the martyr.
George, the martyr.
Theodore, the martyr.
The foot of St. Cosmas, the martyr.
Part of the head of Cyprian, the martyr.
Pantaleon, the martyr.
A tooth of St. Lawrence.
Demetrius, the martyr.
Stephen, the proto-martyr.
Vincentius, Adjutus, Mauritius and his companions.
Crisantius and Darius, the martyrs.
Gervasius and Protasius, the martyrs.
Primus, the martyr.
Sergius and Bacchus, the martyrs.
Protus, the martyr.
John and Paul, the martyrs.

Also relics from the following: the place of the Nativity of our Lord; Calvary; our Lord's sepulchre; the stone rolled away; the place of our Lord's ascension; the stone on which John stood when he baptized the Lord; the spot where Christ raised Lazarus; the stone on which Christ was presented in the temple; the stone on which Jacob slept; the stone where Christ fasted; the stone where Christ prayed; the table on which Christ ate the supper; the place where He was captured; the place where the mother of our Lord died; His grave; the grave of St. Peter, the apostle; the relics of the holy apostles, Andrew and Philip; the place where the Lord gave the law to Moses; the holy patriarchs, Abraham, Isaac and Jacob; St. Nicholas, the bishop; Adelasius, the bishop; Agricius, the bishop; John Chrysostom; John, the almsgiver; the milk of the mother of our Lord; Margaret, the virgin; Perpetua, the virgin; Agatha, the virgin; Agnes, the virgin; Lucia, the virgin; Cecilia, the virgin; Adelgundis and Euphemia, the virgins.

Written and sealed—in this year of our Lord's Incarnation, 1205, in the reign of Philip, king of the Romans, Innocent the supreme pontiff presiding over the holy Roman church,—under the direction of the bishops Lutholdus of Basel and Henry of Strassburg.

VI. *ATTITUDE OF INNOCENT III.*

This has given rise to much discussion. He was very anxious for a new crusade, and offered large privileges (see Ville-Hardouin, ch. I, No. 2). He wrote, "If men perish, if the churches are weakened, if the poor are oppressed, ... all this is of less consequence than the loss of Palestine."[1] But he seems to have mistrusted the Venetians (see Gesta Inn., No. 84), and did not heartily approve of the arrangements made. He felt very indignant at the capture of Zara; "Satan has impelled you to turn your swords against a Christian people." "You have offered to the devil the first fruits of your pilgrimage." He excommunicated all who took part in the capture and released the crusaders from the ban only under necessity. The Venetians were still excommunicated. He commanded them not to go to Constantinople, and was extremely indignant at the first attack on that city. Even after the final capture of Constantinople and the restoration of the Greek church to obedience to Rome, he seems to have regretted the failure of the crusade. He continues his reproaches, although he seems to have believed that the divine Providence had miraculously used the deeds of sinful men for its own good purpose.

In addition to Pears' account consult:

Hurter: *Geschichte Pabst Innocenz III. und seiner Zeitgenossen*, 4 vols. Hamburg, 1834–1842.

Tessier: *La Diversion sur Zara et Constantinople.*

1. *Crusaders to stay at Constantinople.*

Epistolæ, Bk. viii, No. 63, in Tessier: *Diversion*, etc., pp. 235–6. Latin.

To all the clergy and people in the Christian army at Constantinople.

If the Lord had granted the desires of His humble servants sooner, and had transferred, as He has now done, the empire of Constantinople from the Greeks to the Latins before the fall of the Holy Land, perhaps Christianity would not be weeping to-day over the desolation of the land of Jerusalem. Since, therefore, through the wonderful transference of this empire God has deigned to open to you a way to recover that land, and the detention of this may lead to the restoration of that, we advise and exhort you all, and we enjoin upon you for the remission of your sins, to remain for a year in Romania, in order to strengthen the empire in its devotion to the Apostolic See and to us, and in order to retain it in the power of the Latins; and to give wise advice and efficient aid to Baldwin, our most beloved son in Christ, the illustrious emperor of Constantinople; unless, perchance, your presence in the Holy Land should be necessary before that time, in which case you ought to hasten to guard it before the year elapses.

Dated, ...[2]

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[1] See Pears, 226.

[2] Potthast: *Regesta pont. Rom.*, No. 2507, gives date as possibly May 20, 1205.

TRANSLATIONS AND REPRINTS

FROM THE

ORIGINAL SOURCES OF EUROPEAN HISTORY.

VOL. III. STATISTICAL DOCUMENTS OF THE MIDDLE AGES. NO. 2.

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INTRODUCTION.

The German publicist von Schlözer writing in 1804 said that "Statistics is history standing still, history statistics in motion." Though to-day the dictum would be rejected by both historian and statistician, it remains true that while history is mainly occupied in describing events, statistics is chiefly concerned in depicting conditions. In this broad sense, therefore, we may be allowed to speak of statistical documents in the middle ages.

It is readily conceded that statistics in the modern sense have not been transmitted to us from the antique or mediaeval civilization. In the modern sense statistic means to us a comprehensive inquiry into definite facts capable of expression in numerical terms, within a well defined geographical area and in a definite period of time. Such inquiries, ranking among the latest products of a highly developed political and social life cannot be looked for in a period of nascent civilization.

The carefully organized statistical work of modern governments is the outgrowth of a long development of their administrative functions and is intimately bound up with them. Whenever we find an orderly administration, we find traces of statistics. For without records such administration could not be carried out, and it is only a question of arrangement, whether such records assume a statistical form. We can therefore find in the middle ages, the records of statistical beginnings. It

is with such beginnings that we are concerned in the present issue. Statistically they are in the crudest form of arrangement. Their historical interest, in giving a glimpse however incomplete, of the time to which they relate, may serve as a justification for the results, which from the standpoint of statistics must be deemed meagre in the extreme.

The documents bearing upon the history of statistics which the middle ages have bequeathed to us, may be classed in two fairly distinct groups. The one gives us a record of the execution of various administrative measures involving statistic work, and sometimes preserving the instructions or laws upon which such inquiries were based. The second gives us some actual results, oftentimes partial in their scope, yet indicative of the conditions which the measures must have revealed.

Historians of statistics have recorded the references to a considerable number of administrative undertakings which must have had a statistical interest. In this issue we have selected a few illustrations of the two types of documents above named. The following extracts have been taken direct from the original documents. Especial attention is directed to numbers IV, V, and VI, which present a very striking combination of information from different sources, relative to the same epoch. Being separately printed the importance of these extracts as a group might pass unobserved.

I. ARTICLES FROM THE CAPITULARY "DE VILLIS."

Mon. Ger. Hist. Legum I, 185-186. Latin.

In the capitularies of Charles the Great the high administrative ability of that ruler is clearly manifested. They contain several ordinances relating to the general affairs of the realm, such as the military service, which indicate the existence of a fairly compact administrative system. The capitulary "de Villis" from which a few extracts are given relates to the royal domains. The first section quoted may be regarded as a statistical instruction to the officials. In it several items, mentioned specifically in other sections are not enumerated. They are added to show the general character of the domains. They indicate, that the section 62 is merely a general instruction and is not intended as a schedule. The whole capitulary of which only a part is here given throws an interesting light upon the character of the royal revenues of the period. In this translation we acknowledge our indebtedness to the scholarly edition of the "de Villis" by Guérard, in Bibliothéque de L'Ecole des Chartes. In dubious passages we have followed the interpretation of this author.

62 That each steward shall make an annual statement of all our income: an account of our lands cultivated by the oxen which our ploughmen drive and of our lands which the tenants of farms ought to plough; an account of the pigs, of the rents,[1] of the obligations and fines; of the game taken in our forests without our permission; of the various compositions; of the mills, of the forest, of the fields, of the bridges, and ships: of the free-men and the hundreds who are under obligations to our treasury; of markets, vineyards, and those who owe

[1] Guérard thinks this means the payment for the right to keep pigs in the woods.

wine to us; of the hay, fire-wood, torches, planks, and other kinds of lumber; of the waste-lands; of the vegetables, millet, panic; of the wool, flax, and hemp; of the fruits of the trees, of the nut trees, larger and smaller; of the grafted trees of all kinds; of the gardens; of the turnips; of the fish-ponds; of the hides, skins, and horns; of the honey, wax; of the fat, tallow and soap; of the mulberry wine, cooked wine, mead, vinegar, beer, wine new and old; of the new grain and the old; of the hens and eggs; of the geese; the number of fishermen, smiths [workers in metal], sword-makers, and shoe-makers; of the bins and boxes; of the turners and saddlers; of the forges and mines, that is iron and other mines; of the lead mines; of the tributaries; of the colts and fillies; they shall make all these known to us, set forth separately and in order, at Christmas, in order that we may know what and how much of each thing we have.

22. In each of our estates our stewards are to have as many cow-houses, piggeries, sheep-folds, stables for goats, as possible, and they ought never to be without these. And let them have in addition cows furnished by our serfs for performing their service, so that the cow-houses and plows shall be in no way weakened by the service on our demesne. And when they have to provide meat, let them have steers lame, but healthy, and cows and horses which are not mangy, or other beasts which are not diseased and, as we have said, our cow-houses and plows are not to be weakened for this.

34. They must provide with the greatest care, that whatever is prepared or made with the hands, that is, lard, smoked meat, salt meat, partially salted meat, wine, vinegar, mulberry wine, cooked wine, *garns*,[1] mustard, cheese, butter, malt, beer, mead, honey, wax, flour, all should be prepared and made with the greatest cleanliness.

40. That each steward on each of our domains shall always have, for the sake of ornament, swans, peacocks, pheasants, ducks, pigeons, partridges, turtle-doves.

42. That in each of our estates, the chambers shall be provided with counterpanes, cushions, pillows, bed-clothes, coverings for the tables and benches; vessels of brass, lead, iron and wood; andirons, chains, pot-hooks, adzes, axes, augers, cutlasses and all other kinds of tools, so that it shall never be necessary to go elsewhere for them, or to borrow them. And the weapons, which are carried against the enemy, shall be

[1] A kind of fermented liquor.

well cared for, so as to keep them in good condition ; and when they are brought back they shall be placed in the chamber.

43. For our women's work they are to give at the proper time, as has been ordered, the materials, that is the linen, wool, woad, vermillion, madder, wool-combs, teasels, soap, grease, vessels and the other objects which are necessary.

44. Of the food-products other than meat, two-thirds shall be sent each year for our own use, that is of the vegetables, fish, cheese, butter, honey, mustard, vinegar, millet, panic, dried and green herbs, radishes, and in addition of the wax, soap and other small products ; and they tell us how much is left by a statement, as we have said above ; and they shall not neglect this as in the past; because from those two-thirds, we wish to know how much remains.

45. That each steward shall have in his district good workmen, namely, blacksmiths, gold-smiths, silver-smiths, shoemakers, turners, carpenters, sword-makers, fishermen, foilers, soap-makers, men who know how to make beer, cider, berry, and all the other kinds of beverages, bakers to make pastry for our table, net-makers who know how to make nets for hunting, fishing and fowling, and the other who are too numerous to be designated.

II. INVENTORY OF AN ESTATE OF CHARLES THE GREAT.

Mon. Ger. Hist. LL. I, pp. 178-179. Latin.

This inventory is a specimen of those required in the capitulary. It refers to a small estate, the location of which is unknown. Rude domestic and agricultural conditions are clearly reflected in this account of an estate destined to harbor temporarily the royal person and his officers.

We found in the domain estate of Asnapium a royal house built of stone in the best manner, 3 rooms ; the whole house surrounded with balconies, with 11 apartments for women ; beneath 1 cellar ; 2 porticoes ; 17 other houses built of wood within the court-yard with as many rooms and other appurtenances, well built ; 1 stable, 1 kitchen, 1 mill, 1 granary, 3 barns.

The yard surrounded carefully with a hedge and stone gateway and above a balcony from which to make distributions. An inner yard, likewise enclosed within a hedge, arranged in a suitable manner planted with various kinds of trees.

Vestments : coverings for 1 bed, 1 table cloth, 1 towel.

Utensils : 2 brass kettles, 2 drinking cups, 2 brass cauldrons, 1

iron one, 1 frying-pay, 1 gramalmin, 1 pair of andirons, 1 lamp, 2 hatchets, 1 chisel, 2 augers, 1 axe, 1 knife, 1 large plane, 1 plane, 2 scythes, 2 sickles, 2 spades tipped with iron. Enough wooden utensils for use.

Farm produce: old spelt from last year, 90 baskets which can be made into 450 weight of flour; 100 measures of barley. From the present year, 110 baskets of spelt, planted 60 baskets from the same, the rest we found; 100 measures of wheat, 60 sown, the rest we found; 98 measures of rye all sown; 1800 measures of barley, 1100 sown, the rest we found; 430 measures of oats, 1 measure of beans, 12 measures of peas. At the 5 mills, 800 measures, small measures. At the 4 breweries, 650 measures, small measures, 240 given to the prebendaries, the rest we found. At the 2 bridges, 60 measures of salt and 2 shillings. At the 4 gardens, 11 shillings. Honey, 3 measures; about 1 measure of butter; lard, from last year 10 sides, new sides 200 with fragments and fats, cheese from the present year 43 weights.

Of cattle: 51 head of larger cattle, 5 three-year-olds, 7 two-year-olds, 7 yearlings; 10 two-year-old colts, 8 yearlings, 3 stallions; 16 cows; 2 asses; 50 cows with calves, 20 young bullocks, 38 yearling calves, 3 bulls, 260 hogs, 100 pigs, 5 boars, 150 sheep with lambs, 200 yearling lambs, 120 rams, 30 goats with kids, 30 yearling kids, 2 male goats, 30 geese, 80 chickens, 22 peacocks.

Also concerning the dependencies which pertain to the above mansion. In the villa of Grisio we found domain buildings, where there are 3 barns and a yard surrounded by a hedge. There is there 1 garden with trees, 10 geese, 8 ducks, 30 chickens.

In another villa. We found domain buildings and a yard surrounded by a hedge and within 3 barns, 1 arpent of vines, 1 garden with trees, 15 geese, 20 chickens.

In a third villa, domain buildings. It has 2 barns, 1 granary, 1 garden, 1 yard well enclosed by a hedge.

We found all the dry and liquid measures just as in the palace. We did not find any goldsmiths, silversmiths, blacksmiths, huntsmen or persons engaged in other services.

The garden herbs which we found were lily, putchuck, mint, parsley, rue, celery, *libesticum*, sage, savory, juniper, leeks, garlic, tansy, wild mint, coriander, scullions, onions, cabbage, kohl-rabi, betony. Trees: pears, apples, medlars, peaches, filberts, walnuts, mulberries, quinces.

IIIa. INSTRUCTIONS FOR COLLECTION OF THE DOMESDAY RETURNS.

Inquisitio Eliensis. Domesday Book: Additamenta, p. 495. Latin.

The first approach to a modern assessment roll or cataster is the well known Domesday Book. The existing literature on this remarkable memorial is so extensive, that it has not appeared advisable to quote largely from it. Our first quotation contains the instructions issued to the Commissioners who made the record. The second is a specimen return. There is a wide variety in the returns, though certain factors recur constantly in each statement. The survey is the most extensive document, embracing as it does the entire area of England held by the Conqueror, which we possess in regard to mediaeval times. It is important to note how the feudal power as founded by William is no longer dependent like the Empire of Charles upon the personal estates of the crown, but brings the entire land under its influence through the feudal dues, and thus paves the way for the modern state founded upon the obligations of all its citizens.

Here is subscribed the inquisition of lands as the barons of the king have made inquiry into them; that is to say by the oath of the sheriff of the shire, and of all the barons and their Frenchmen, and the whole hundred, the priests, reeves, and six villains of each manor; then, what the manor is called, who held it in the time of king Edward, who holds now; how many hides, how many plows in demesne, how many belonging to the men, how many villains, how many cottars, how many serfs, how many free-men, how many socmen, how much woods, how much meadow, how many pastures, how many mills, how many fish-ponds, how much has been added or taken away, how much it was worth altogether at that time, and how much now, how much each free man or socman had or has. All this threefold, that is to say in the time of king Edward, and when king William gave it, and as it is now; and whether more can be had than is had.

IIIb. EXTRACT FROM DOMESDAY SURVEY OF THE COUNTY OF NORFOLK.

Domesday Book, Vol. 2, pp 153-154. Latin.

The land of Robert Malet.

Fredrebruge Hundred and half. Glorestorp. Godwin, a freeman, held it. Two carucates of land in the time of king Edward. Then

and afterwards 8 villains; now 3. Then and afterwards 3 bordars; now 5. At all times 3 serfs, and 30 acres of meadow. At all times 2 carucates in demesne. Then half a carucate of the men, and now. Woods for 8 swine, and 2 mills. Here are located 13 socmen, of 40 acres of land. When it was received there were 2 *r.*,[1] now 1. At all times 8 swine, then 20 sheep, and it is worth 60 shillings.

There is situated there, in addition, one berewick, as the manor of Heuseda. In the time of king Edward, 1 carucate of land; then and afterwards 7 villains, now 5. At all times 12 bordars, and 3 serfs, and 40 acres of meadow; 1 mill. Woods for 16 swine and 1 salt pond and a half. Then 1 *r.*, and now and 14 swine, 30 sheep, and 50 goats. In this berewick are located 3 socmen, of 10 acres of land, and it is worth 30 shillings. The two manors have 2 leagues in length and 4 firlongs in breadth. Whosoever is tenant there, returns 12 pence of the twenty shillings of geld.

Scerpham Hundred Culverstestun Edric held it in the time of king Edward. Two carucates of land. At all times there were 4 villains, and 1 bordar, and 4 serfs; 5 acres of meadow and two carucates in the demesne. Then and afterwards 1 carucate, now one-half. At all times 1 mill and one fish-pond. Here is located 1 socmen of the king, of 40 acres of land; which his predecessors held only as commended and he claims his land from the gift of the king. Then and afterwards there was one carucate, now 2 bovates, and 2 acres of meadow. At all times two *r.*, and 4 geese; then 300 sheep, now 300 less 12; then 16 swine now 3. Then and afterwards it was worth 60 shillings, now 80; and there could be one plow. Walter of Caen holds it from Robert.

Heinstede Hundred. In Sasilingaham Edric, the predecessor of Robert Malet, held 2 sokes and a half, of 60 acres of land, now Walter holds them. Then 9 bordars, now 13. At all times 3 carucates and a half among all, and 3 acres of meadow, and the eighth part of a mill; and under these 1 soke of 6 acres of land. At all times half a carucate. Then it was worth 30 shillings, now it returns 50 shillings.

In Scotessa Ulcetel was tenant, a free man commended to Edric, in the time of king Edward of 30 acres of land. At that time 1 bordar, afterward and now 2. Then half a carucate, none afterward nor now. It was at all times worth 5 shillings and 4 pence; the same.

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[1] The word indicated by the contraction *r* has not been identified.

IV. LEVY OF TROOPS FOR WARS IN BOHEMIA, 1422.

Deutsche Reichstagsakten Bd. VIII (1883) pp. 157-165.
Reprinted in Altmann und Bernheim : Ausgewählte Urkunden, Second Ed., pp. 174-177. German.

The levy of troops for the Bohemian wars gives us a picture of the relative size and importance of the various powers of Germany in 1422. The statisticians will note especially the concentration of power in the Rhine lands. The contingents to be furnished by the cities, afford an excellent scale of the relative importance of towns in the epoch concerned.

(The Electors). Archbishops: Mayence 50 with swords, Cologne 40 with swords. Treves 40 with swords. The count Palatine 50 with swords. Saxony 20 mounted men-at-arms. Branderburg 50 with swords.

The Bishops: The archbishop of Magdeburg 30 swordsmen, 10 archers. Bishop of Hildesheim 5 swordsmen, 5 archers. That of Würzburg 20 swordsmen. That of Bamberg 20 swordsmen. That of Eichstätt 10 swordsmen. That of Strassburg 10 swordsmen. That of Constanz 8 swordsmen. That of Basle 2 swordsmen. That of Coire 2 swordsmen. That of Besançon 6 swordsmen. That of Augsburg 2 swordsmen. That of Metz 6 swordsmen. That of Toul 3 swordsmen. That of Verdun 6 swordsmen. That of Lausanne 6 swordsmen. That of Speyer 8 swordsmen. That of Worms 2 swordsmen. That of Verden 3 swordsmen, 6 men-at-arms. That of Schwerin 8 swordsmen, 8 men-at-arms. That of Halberstadt 6 swordsmen, 6 men-at-arms. That of Bremen 10 swordsmen, 10 men-at-arms. That of Kammin 6 swordsmen, 6 men-at-arms. That of Regensburg 5 swordsmen. That of Munster 10 swordsmen.

Dukes and lay princes. Duke of Lorraine 20 swordsmen. Duke of Bar 20 swordsmen. Duke of Savoy 50 swordsmen. Margrave of Baden 10 swordsmen. Landgrave of Hesse 20 swordsmen, 10 men-at-arms. Duke Otto of the Leina 10 swordsmen, 10 men-at-arms. Erich of Brunswick 5 swordsmen, 5 men-at-arms. Duke Otto of Hirschberg 5 swordsmen, 5 men-at-arms. Bernhard and William of Brunswick with their cities namely, Brunswick and Lüneburg, 10 swordsmen, 10 men-at-arms. John of Mecklenburg 10 swordsmen, 10 men-at-arms. Albrecht of Mecklenburg 10 swordsmen, 10 men-at-arms. Children of Duke Ulrich with the country of Stargardt 10 swordsmen, 10 men-at-arms. Otto and Casimir of Stettin 20 swordsmen, 12 men-at-arms. Vladislaf of Wolgast 15 swordsmen, 12 men-at-arms. Erich of Saxe-

Lauenberg 3 swordsmen, 6 men-at-arms. Louis of Ingoldstadt in Bavaria 16 swordsmen. Ernest and William of Bavaria 10 swordsmen. Henry of Bavaria 20 swordsmen. John of Bavaria 10 swordsmen. Stephen of Bavaria 5 swordsmen. Otto of Bavaria 5 swordsmen. Adolphus of Cleve 20 swordsmen. Duke of Berg 6 spearmen. The bishop of Utrecht, with Deventer, Kempten, Zwolle, and Utrecht, 40 swordsmen.

Lords and counts in the Netherlands. The duke of Jülich, and the knights of Jülich and Guelders, and the four cities of Romunde, Nymwegen, Arnheim and Zutphen 60 swordsmen. The three cities of Brabant 100 swordsmen. The cities of Liege 100 swordsmen. Standard bearers, knights, and men of Holland 60 swordsmen. Standard bearers, knights, and men of Hainault, the cities of Hainault, the count of Namurs 20 swordsmen. Lords and knights of Flanders, the cities of Flanders 20 swordsmen.

Counts and lords. Gerhard, count of Mark 3 swordsmen. William count of Ravensburg 2 swordsmen. Count of Teckelnburg 2 swordsmen. Count of Riedenburg 1 swordsman. Lord of Lippe 2 swordsmen. Lord of Dippoldswald 1 swordsman. Count of Bentheim 1 swordsman. Count of Schaumburg 1 swordsman. Count of Oldenburg 1 swordsman. Frederick and William of Henneberg 4 swordsmen. Count of Rheineck 2 swordsmen. Count of Kastel 2 swordsmen. Count of Hohenlohe 2 swordsmen. Count of Weinsberg 2 swordsmen. Count of Heideck 1 swordsman. Otto Erich of the Heust 6 swordsmen. Count of Würtemberg 20 swordsmen. Count of Schauen 15 swordsmen. Margrave of Rotelen 3 swordsmen. Margrave of Toggenburg 5 swordsmen. Conrad of Freiburg 5 swordsmen. Hugo master of the Order of St. John 10 swordsmen. Christopher of Wenden 6 swordsmen, 6 men-at-arms. Albrecht and George of Anhalt 5 swordsmen, 5 men-at-arms. Bernhard of Anhalt 4 swordsmen, 4 men-at-arms. Bernhard of Rheinstein, 3 swordsmen, 3 men-at-arms. Count of Wernigerode 4 swordsmen, 4 archers. Emich of Leinigen 3 swordsmen. Frederick of Leinigen 2 swordsmen. Philipp of Nassau 4 swordsmen. John of Sponheim 5 swordsmen. Frederick of Veldenz 3 swordsmen. John and Frederick, counts of the Rhine 2 swordsmen. Philipp and Emich, lords of Oberstein, 2 swordsmen. Lord of Hohenfels 1 swordsman. Nicholas Vogt of Honolstein 1 swordsman. John of Katzenellenbogen 8 swordsmen. Adolphus of Nassau 2 swordsmen. William of Wied 3 swordsmen. Philipp and Salentin lord of Ysenburg 3 swordsmen. John of

Wied, Reinhard, lord of Westerburg 2 swordsmen. Dietrick, lord of Runkel 1 swordsman. John and Henry, counts of Nassau lord of Bilstein 2 swordsmen. Bernhard and John brothers, count Solms 3 swordsmen. John of Wittgenstein 1 swordsman. Rupert of Virneburg 2 swordsmen. Gottfried Eberhard, lord of Eppstein 4 swordsmen. Reinhard, lord of Hanau 3 swordsmen. Dieter, lord of Büdegen 3 swordsmen. Michael of Wertheim 1 swordsman. William of Eberstein 1 swordsman. Lords of Arbergen 3 swordsmen. William of Blankenstein 1 swordsman. John, lord of Schleiden 1 swordsman. Frederick of Moers 4 swordsmen. John, lord of Heimsberg 4 swordsmen. Walrave of Moers 1 swordsman. William Craft, lord of Saffenburg 1 swordsman. John, lord of Rodemachern 2 swordsmen. John and Gottfried, lord of Ziegenhain 2 swordsmen. Henry of Waldeck, and the others of Waldeck 4 swordsmen. John Henry of Vinstigen 2 swordsmen. The lord of Wibelkoben 1 swordsman. Shenk Eberhard, Schenk Conrad and Schenk Conrad the younger, of Ehrenpach 3 swordsmen. Conrad, lord of Bickenbach 1 swordsman. The lord of Neuenahr 1 swordsman. Eberhard of Lineburg, lord of Hartenburg 2 swordsmen. Count of Limburg 1 swordsman. The lord of Harn 2 swordsmen. John of Saarwerden 1 swordsman. The Brothers of Bitsch 1 swordsman. Count of Salm 1 swordsman.

The Abbots. The abbot of Fulda 6 swordsmen. The abbot of Weissenburg 2 swordsmen. The abbot of Zelle 1 swordsman. The abbot of Mürbach 3 swordsmen. The abbot of Maulbronn 5 swordsmen. The abbot of Einsiedeln 2 swordsmen. The abbot of Biebenhausen 3 swordsmen. The abbot of Salem 5 swordsmen. The abbot Alb 2 swordsmen. The abbot of Kemptem 2 swordsmen. The abbot of Schaffhausen 2 swordsmen. The abbot of Petershausen 2 swordsmen. The abbot of Kinzing 2 swordsmen. The abbot of Weingarten 4 swordsmen. The abbot of Elchingen 2 swordsmen. The abbot of St. Blasien 2 swordsmen. The abbot of Balbeuren 2 swordsmen. The abbot of Zwiefalten 2 swordsmen. The abbot of Isni 1 swordsman. The abbot of Saint George 1 swordsman. The abbot of Saint John 1 swordsman. The abbot of Pfaeffers 1 swordsman. The abbot of Königsbrünn 1 swordsman. Prior to Schussenried 2 swordsmen.

The cities. The confederates of Berne, Lucerne, Zurich, Freiburg in Vaud 250 horse. Constance, Lindau, Buchhorn, Ravensburg, Ueberlingen, Zelle am Unter See, Diessenhofen, 50 swordsmen and 200 mounted men. Schaffhausen, Waldshut, Lauffenberg, Säckingen,

Rheinfelden, Winterthür, Rapperswil, Frauenfeld 26 men-at-arms. Kempten, Isny, Wangen, Leutkirch, Memmingen, Augsburg, Biberach, Pfullendorf, Kaufbeuren, Ulm, Giengen, Nordlingen, Bopfingen, Aalen, Gmünd, Dünkelsbühl, Esslingen, Reutlingen Rottweil, Weil, Buchau, 100 swordsmen and 100 men-at-arms. Halle 12 swordsmen and 12 men-at-arms. Heilbronn, Wimpfen Weinsberg 24 mounted men armed. Basle 16 swordsmen. Strassburg Muhlhausen, Colmar, Münster in St. Gregorienthal, Kaiserberg, Dürkheim, Schlettstadt, Oberehnheim, Roshein, Hagenau, Weissenburg, 30 swordsmen. Freiburg, Neuenberg Breisach, Kenzingen Endingen 10 swordsmen. Verden 10 swordsmen. Kaufmansarburg 3 swordsmen. Treves 4 swords men. Metz 20 swordsmen. Toul 10 swordsmen. Speyer Worms and Mayence 24 swordsmen. Cologne, Aix la Chapelle 30 swordsmen. Dortmund 6 swordsmen. Frankfort 15 swordsmen. Friedberg 2 swordsmen. Gelnhausen 3 swordsmen. Wetzlar 2 swordsmen. Nuremberg 30 swordsmen, 30 men-at-arms. Rothenburg 12 swordsmen, 12 men-at-arms. Windsheim 5 swordsmen, 6 men-at-arms, Weissenburg in Franconia 5 swordsmen, 5 men-at-arms. Schweinfurt 5 swordsmen, 5 men-at-arms. Regensburg 15 swordsmen, 15 men-at-arms. Lübeck 30 swordsmen, 30 men-at-arms. Hamburg 15 swordsmen, 15 men-at-arms. Mühlhausen [Saxony] 3 swordsmen, 6 men-at-arms. Nordhausen 15 swordsmen, 10 men-at-arms. Aschesleben 10 swordsmen, 6 men-at-arms. Halberstadt 10 swordsmen, 10 men-at-arms. Quedlinburg 10 swordsmen, 10 men-at-arms. Sum total, 754 swordsmen and 777 mounted horse from the cities.

V. RESOURCES OF VENICE.

From the speech of Thomas Mocenigo in 1421.

Muratori, Rer. Ital. Script. XXII, 952-954. Italian.

The speech of Mocenigo was made on the occasion of a visit to Venice of a Florentine embassy for the purpose of securing the alliance of Venice in the struggle with the duke of Milan. The war party in Venice, was led by Francesco Foscari, to whom this speech is especially addressed. The advantage of peace which Venice had so long enjoyed and to which she owed so much of her prosperity are detailed at length by the Doge Mocenigo. In the passage here quoted especial reference is made to the commerce of Venice. While the figures are all in round numbers and not always consistent (the text of the original is carefully followed) yet they must be regarded as valuable approximation by one well fitted to form an estimate. It is rather the character than the amount of the commerce which will fasten the attention of the reader. Venice was at the time the great emporium of the Orient. It distributed the textiles enumerated as coming from the interior, to the various centres of trade in the East.

Signor Francesco Foscari, youthful Procurator, if you are able to reply to these questions, reassure the Council by taking up this one which I propose to you. If you found in Venice a garden in such a condition that it produced enough grain every year to furnish sustenance to 500 persons, and that besides there were many bushels to be sold; that the garden produced so much wine, that it furnished sustenance to 500 persons, and that there were besides many measures to be sold; and that it produced every sort of oats and vegetables of considerable value, and that the garden produced moreover every sort of fruit so that 500 persons might live from it every year, and that there should be some for sale; that the garden produced every year beeves, sheep, kids, and birds of all sorts which might furnish sustenance for 500 persons, yet so that some should remain for sale; and that the said garden produced so much cheese and eggs that it might furnish sustenance to 500 persons, yet so that some should remain for sale; and that the garden produced so much fish of all sorts for the sustenance of 500 persons, and that besides this fish could be sold for a considerable number of ducats: it would be agreed that such a garden was most noble, producing so many things, not only furnishing goods for the support of 500 persons, but also goods for sale for 500 ducats, the said garden requiring no cost for its maintenance. And one morning some one should say to you: "*Signor Francesco your enemies have gone to the Piazza to take 500 sailors and have paid them to enter your garden: they bear 500 scythes to destroy the trees and the vines, also 100 villains with 100 pairs of oxen and 100 ploughs, paid by your enemies, to destroy all the plants which are in the said garden, to destroy all the animals great and small which are in the said garden,*" if you were wise, you would not suffer that your garden should be destroyed. You would go to your strong box and take enough gold to hire 1,000 men to resist those who wish to destroy the said garden. If you should pay, Signor Francesco, these 500 men with scythes and 100 villains with ploughs for destroying the said garden it would be said that you had gone crazy. Let us examine if we are in such a position. We have planned to comprehend all the commerce which Venice at present conducts, which we have known. We will say of the Milanese merchants and of the exchange banks which confirm this, that there comes every week from Milan 17,000 to 18,000 ducats which enter into this city, making every year the sum of 900,000. From Monza 1,000 ducats every week, amounting annually to 56,000 ducats. From Como 2,000 ducats every week, amounting annually to 104,000 ducats.

From Alessandria della Paglia 1,000 ducats every week, amounting annually to 56,000 ducats. From Tortona and Novara 2,000 ducats every week, amounting annually to 104,000 ducats. From Pavia 2,000 ducats every week, amounting annually to 104,000 ducats. From Cremona 2,000 ducats every week, amounting annually to 104,000 ducats. From Bergamo 1,500 ducats every week, amounting annually to 78,000 ducats. From Parma 2,000 ducats every week, amounting to 104,000 ducats. From Piacenza 1,000 ducats every week, amounting to 52,000 ducats.

All these things the banks affirm to be thus on the average, that there is introduced from the countries of the duke of Milan, annually 1,612,000 ducats of gold. Does it not appear that this is a beautiful and most noble garden which Venice posesses without cost? Alessandria della Paglia, Tortona and Novara, place there 6,000 pieces of cloth per year at 15 ducats the piece, amounting to 90,000 ducats. Pavia places 3,000 pieces of cloth at 15 ducats the piece, which is 45,000 ducats. Milan places 4,000 pieces of fine cloth at 30 ducats the piece, which is 120,000 ducats. Como 12,000 pieces at 15 ducats the piece, which amounts to 180,000 ducats. Monza 6,000 pieces at 15 ducats the piece, which amounts to 90,000 ducats. Brescia 5,000 pieces at 15 ducats the piece, which amounts to 75,000 ducats. Bergamo 10,000 pieces at 7 ducats the piece, which amounts to 70,000 ducats. Cremona places 40,000 fustians, at 40 and a quarter the piece, which amounts to 170,000. Parma 4,000 pieces at 15 ducats the piece, which is 60,000 ducats. This amounts in all to 90,000 pieces which makes 900,000 ducats. And we have revenues from the lands of Lombardy at one ducat per piece, 200,000 ducats, which with this and with the goods amounts to 28,800,000 ducats. Does it not appear that this is the most beautiful garden of Venice? Of these things which the Lombards carry away from you every year the first is cotton 5,000 M.[1] for 250,000 ducats, thread 20,000 M. at from 15 to 20 ducats the hundred making 30,000 ducats. Catalonian wool at 60 ducats per M. for 4,000 M., 120,000 ducats. French wool at 300 ducats per M. for 40 M., making 120,000 ducats. Cloth of gold and of silk per year for 250,000 ducats. 3,000 cargoes of pepper at 100 ducats make 300,000 ducats. Cinnamon 400 loads at 160 ducats per load, 64,000 ducats. Ginger 200 M. at 40 ducats per M., 80,000 ducats. Sugar of one boiling, of two and of three, estimated at

[1] The original has *migliaja* "thousands" for which we use the abbreviation.

15 ducats the hundred, 95,000 ducats. Green ginger for several thousands of ducats. Other things of all sorts for several thousands of ducats, for embroidery and sewing 30,000 ducats. Dyes 4,000 M. at 30 ducats per M. per hundred, 120,000 ducats. *Endachi* and grains for 50,000 ducats. Now in the way of making an estimate for all it will be seen to be 28,000,000 ducats. And this is a beautiful garden for Venice without cost. Soap for 250,000 ducats, slaves for 30,000, and considerable salted goods which are sold every year. And all this draft which the said Lombadry makes upon these lands is a reason to navigate so many ships in Syria, so many galleys in Romania, so many in Catalonia, so many in Flanders, in Cyprus, in Sicily, and in other parts of the world, by means of which Venice receives dues and freights, three, two, and a half per cent. *Sanseri*, and *Tintori*; freights of vessels and galleys weighers, porters, bargemen, sailors, rowers and captains, with the profits of merchants in the ventures, which gives a sum of 600,000 ducats to us of Venice without cost. From such profits many thousand persons live on the fat of the land. And is this a garden which we ought to undo? In truth no. But it is to be defended against any who wish to desolate it.

VI. MEMORANDUM OF THE POWER AND REVENUES OF THE STATES OF EUROPE IN 142—

Note to Life of Mocenigo.

Muratori. Script. rer. Ital. XXII, pp. 960 et seq. Italian.

The memorandum here quoted is by an unknown hand. It was affixed to the document from which Muratori derives his information before 1450. It may be regarded in the light of a contemporary estimate of the relative strength of European nations. The excellent system of reports by which the Venetian ambassadors kept the home government informed as to the doings of foreign powers is a guaranty that the statement represents the best available information. The section relating to Venice naturally assumes a higher degree of probability. While in some respects it is vague and indefinite it yet gives us an excellent idea of the budget of receipts of that commonwealth.

Income of all the Christian powers and what they are able to do. The king of France with all his force and the feudal services of princes, dukes, marquises, counts, barons, knights, bishops, abbots, canons, priests, and citizens, can in his own country raise 30,000 horsemen skilled in arms. If desiring to send them out of the country the said realm could not, since the costs would be doubled, send more than 15,000 horse. Before the war with their own countrymen, it could have raised 100,000, for that war destroyed both Church and revenues. In the total there-

fore 15,000 horse. The king of England with the power of his revenues, and the feudal services of princes and others as above could, paying them every month, raise at home 30,000 horsemen skilled in arms. In making the test of war these powers are equal. They have always been powerful in their undertakings. And if one of these forces had been greater than the other, one would have been destroyed. The English were overcome, after the division occurred in England, and they could not make provision for their forces. This was before 1414. They had 40,000 horse. Wars have weakened these countries, their men and their revenues, so that now wishing to send a force out of the country it is agreed that they have the half, i. e., 15,000 horsemen. The king of Scotland who is lord of a great country, and of a people of so great poverty that he would not be able to maintain with his revenues and the taxes and dues of the clergy and laity, 10,000 horsemen skilled in arms in his own country ; outside of the country on account of the great cost, 5,000 horse. The king of Norway who is lord of a great country, and a people equally poor could not maintain at home with his revenues and the taxes and dues of clergy and laity 10,000 horsemen skilled in arms, abroad 5,000 horse. The king of Spain with all his revenues and feudal dues of clergy and laity, with all his forces 30,000 horsemen skilled in arms. In 1414 he paid for 20,000. Wishing to maintain them out of the country at double cost they would be 15,000 horsemen. The king of Portugal with all his revenues from clergy and laity, with all his force, would have, if he paid every month, at home 6,000 horsemen skilled in arms, abroad 3,000 horse. The king of Brittany with all his revenues and feudal dues of clergy and laity, paying every month, could maintain at home 8,000 horsemen skilled in arms, abroad 4,000. The master of St. James with all his force of men skilled in arms, at home 4,000 horsemen, abroad 2,000. The duke of Burgundy with all his force as above at home 3,000 cavalry. In 1414 he held 1,000. But war has destroyed the country. Abroad 5,000 men. The king Renë [of Provence] with all his revenues would be able to raise at home 6,000 horse, abroad 3,000. The duke of Savoy with all his revenues would be able to raise at home 8,000 horse, abroad 4,000. The marquis of Montferrat would be able to hold 2,000 horse at home, 1,000 abroad. The count Francesco Sforza, duke of Milan, with all his force could hold as mercenaries 10,000 horse at home and 5,000 abroad. The signory of Venice can, with all its force pay for 10,000 horsemen skilled in arms at home, and 5,000 abroad. The marquis of Ferrara at

home 2,000 horsemen, abroad 1,000. The marquis of Mantua, at home 2,000, abroad 1,000. The signory of Bologna 2,000 at home, 1,000 abroad. The community of Siena at home 2,000, abroad 1,000. The Signory of Florence with all its revenues of 1414 could place 1,000. At present through the wars it can place 4,000 horsemen at home and 2,000 abroad.

The Pope with all his revenues of his States of the Church, and with the profits of churches which he receives, was able in 1414 to raise 8,000 horsemen ; at present at home 6,000 horsemen, abroad 3,000. The king of Aragon in the Realm of Naples can raise with all his revenues 12,000 horsemen at home and 6,000 abroad. The princes of the Realm are able with all their revenues to raise 4,000 horsemen at home, 2,000 abroad. The Community of Genoa were able in 1414 to maintain 5,000 horsemen. But through their present dissension and the wars they are only able to maintain at present 2,000. The Barcelonians with all the community and the lord of Catalonia, counting citizens and knights, can at home paying every month maintain 12,000 horsemen, and abroad 6,000. All Germany with the lords temporal and spiritual, the free and the other cities, north and south Germany, and the Emperor who is German, can raise with all their resources and revenues 60,000 horsemen at home and 30,000 abroad. The king of Hungary, with all the dukes, lords, princes, barons, prelates, clergy and laity, and with all his resources and revenues can raise at home 80,000 horsemen, abroad 40,000. The grand master of Prussia with all his revenues, 30,000 horsemen. In 1414 he had 50,000. But war has weakened him. Abroad 15,000 horsemen. The king of Poland with all his revenues with dukes, marquises, barons, cities and boroughs can raise at home 50,000 horsemen, abroad 25,000. The Wallachians with all their revenues and feudal service, at home 20,000 horsemen, abroad 10,000. Morea with its resources of 1414 could raise 50,000 horsemen. War has weakened them. At present at home 20,000, abroad 10,000. All Albania, Croatia, Slavonia, Servia, Russia and Bosnia with all their revenues at home 30,000, abroad 15,000. The king of Cyprus with all his revenues can raise in the island 2,000, abroad 1,000. The duke of Nicae in the Archipelago with all his power can pay for 2,000 horsemen at home, 1,000 abroad. The grand master of Rhodes with all his revenues and feudal dues of his liegemen, clergy and laity of the island, would be able to raise 4,000 horsemen at home, 2,000 abroad. The lord of Mitylene 2,000 horsemen, abroad 1,000.

The emperor of Trebizonde with all his power could raise at home 25,000 horsemen, abroad 15,000. The king of Georgia with his revenues of 1414 raised 30,000 horsemen. At present he can raise at home 10,000 horsemen, abroad 5,000. The emperor of Constantinople can only raise * * * . Power of the Infidel Monarchs. The Turk can in all his dominions raise 40,000 horsemen, valiant men to defend him against the Christians. The Caraman with all his power can raise at home 60,000 horsemen, abroad 30,000. Ussun Cassan with all his power can raise at home 20,000 horsemen in the service of Mahomet, abroad 10,000. The Caraifan with all his resources at home 20,000, abroad 10,000. Tamerland with all his Tartar power can raise at home 1,000,000 horsemen, abroad 500,000. The king of Tunis, of Granada and the other cities of Barbary who have galleys and boats to the injury of Christians, at home are 100,000 horsemen, abroad 50,000.

Revenues of some Christian princes in the year 1423. The king of France in the year 1414 had 2,000,000 ducats ordinary revenues. But the wars which have continued for forty years have reduced the ordinary revenues to 1,000,000 ducats. The king of England had 2,000,000 ducats ordinary revenue. The continued wars have desolated the island. At the present time he has 700,000 ducats revenue. The king of Spain had in 1410, 3,000,000 ducats ordinary revenue, but the continued wars have reduced it to 800,000 ducats. The king of Portugal had in 1410, 200,000 ducats revenue. By the wars it is reduced to 140,000 ducats. The king of Brittany in 1414 had 200,000 ducats revenue. By the wars it is reduced to 140,000 ducats. The duke of Burgundy had in 1400, 3,000,000 ducats. By the wars it is reduced to 900,000 ducats. The duke of Savoy as a free country has 150,000 ducats revenue. The marquis of Montferrat as a free country has 100,000 ducats revenue. Count Francesco, duke of Milan (in 1423 duke Filippo Maria had 1,000,000 ducats revenue) has at present on account of the wars only 500,000 ducats. The signory of Venice had in 1423 1,100,000 ducats ordinary revenue. By reason of great wars which have destroyed commerce it has 800,000 ducats ordinary revenue. The marquis of Ferrara had in 1423, 70,000 ducats ordinary revenue. Through the Italian wars he has by remaining at peace 150,000 ducats. The marquis of Montferrat had in 1423, 150,000 ducats, to-day 60,000 ducats. The Bolognese had in 1423, 400,000 ducats ordinary revenue. But by the wars it has come to 200,000 ducats. Florence in 1423 had a revenue of 400,000 ducats. But since then, through the great

wars it is reduced to 200,000 ducats. The pope, though formerly he had none, has 400,000 ducats ordinary revenue. The Genoese through the great division among them are reduced to 130,000 ducats. The king of Aragon, in all his realm with Sicily, though at first he had considerably more, has a revenue of 310,000 ducats.

Revenues of our signory on the main-land and the cost of these domains. The country of Friuli gives annually 75,000 ducats. Its costs are annually 6,330 ducats. There remains net 1,170 ducats. Trevigi aud suburbs 40,000 ducats, costs 10,100 ducats, remainder 29,900 ducats. Padua and suburbs 65,500 ducats, costs 14,000 ducats, remainder 51,500 ducats. Vicenza and suburbs 34,500 ducats, costs 7,600 ducats, remainder 26,900. Verona and suburbs 52,500 ducats, costs 18,000 ducats, remainder 34,000 ducats. Brescia and suburbs 75,500 ducats, costs 16,000 ducats, remainder 59,500 ducats. Bergamo and suburbs 25,500 ducats, costs 9,500 ducats, remainder 16,000 ducats. Crema and suburbs 7,400 ducats, costs 3,900 ducats, remainder 3,500 ducats. Ravenna and suburbs 9,000 ducats, costs 2,770 ducats, remainder 6,230 ducats. Sum of the above 317,400 ducats, costs 88,200 ducats, remainder 229,200 ducats. Revenues of Venice. The intendants of the revenues levy every year 150,000 ducats. The Salt office levies every year 165,000 ducats. Eight offices connected with the Bureau of Taxes levy per year 233,500 ducats. Offices connected with the Arsenal levy annually 73,280 ducats. From the profits of the Bureau of Taxes per year 150,000 ducats and salaries 26,500 ducats, leaving 611,600 ducats. Maritime possessions yield annually 180,000 ducats. Other extraordinary revenues. Revenue of the tithe of houses and possessions in the Duchy 25,000 ducats. For the clergy who pay in cash half the tithe, the other being held by the Bureau of Taxes, 15,000 ducats. Possessions abroad and foreign stations 5,000 ducats. Priests, for their revenues 22,000 ducats. Seafaring Jews two-tenths per year 600 ducats. Land Jews 500 ducats for the tithe, and 1,000 ducats for the two-tenths. The tithe of the merchants 16,000 ducats. Revenue of Noli and Gioje 6,000 ducats. Poll taxes and exchange 20,000 ducats. Note that we must subtract from these the following namely: for the persons who are unable to pay the the tithe of the houses, it cannot be exacted 6,000 ducats; for the half of the tithe of the profit of the Bureau of Taxes, 7,500 ducats; for the priests, to be deducted for the Patriarchate 2,000 ducats; for the merchandise for the revenues 6,000 ducats; for Noli and Gioje 4,000 ducats; for poll-taxes and exchange 12,000 ducats.

VII. TAXES OF THE KINGDOM OF JERUSALEM.

Assises de Jerusalem. Tome II. Assises de la cour des Bourgeois, p. 173. Paris, 1843. Old French.

The list of taxes of the kingdom of Jerusalem may be regarded as a pendant to the foregoing. The list of articles taxed forms an excellent index of the character of the commerce conducted by the Mediterranean powers of the time.

1. The old duties command that one should take at the custom house for the sale of silk for every hundred Besants, 8 Besants and 19 Karoubles, [1] as duty.

2. For the duties on cotton the rule commands that one should take per hundred, 10 B. and 18 K. as duties.

3. For the duties of pepper the rule commands that one should take per hundred, 11 B. and 5 K. as duties.

4. For cinnamon the rule commands that one should take per hundred 10 B. and 18 K. as duties.

5. For wool the rule commands that one should take per hundred B., 11 B. and 10 K. as taxes.

6. For the duties of alum the rule commands that one should take per hundred, 11 B. and 5 K. as duties.

7. For the duty on varnish the rule commands that one should take per hundred, 10 B. and 18 K. as duty.

8. For the duties on nutmegs or on nutmeg leaves, the rule commands that one should take as duty per hundred B. 8 B. and ⅓ by law.

9. Of flax the rule commands that one should take per hundred, 8 B. and 8 K. as duty.

10. For the duties upon cloves and the leaves of cloves the rule commands that one should take per hundred, 9 B. and ⅓ by law.

11. For the duties on Indian hens one should take the tenth.

12. For the wares which are brought by sea from the coast of Syria and which cannot be sold the rule is that they can be withdrawn and taken out of the country, but if the merchandise which cannot be sold be taken out beyond the chain they must be paid per hundred for as much as may then be in the country 8 B. per hundred, and for that which may have been sold duty must be paid to the custom house according that which is established for each kind and which one would have to pay. And be it understood that these duties shall be paid by the Saracens and by all the Syrians who may come with wares into this kingdom.

[1] Where these coins are subsequently mentioned they are indicated by B. and K.

13. For the duties on musc the rule commands that one should take per hundred B. 8 B. and ½ as duty.

14. For the duty upon aloe wood the rule commands that one should take 9 B. and ½ per hundred as duty.

15. For the duties on sugar for that which is imported and exported by land and by sea, the rule commands that one should take per hundred, 5 B. as duty.

16. For the duties per camel's load of sugar the rule commands that one should take 4 B. as duty.

17. For the duty on sugar which is brought by beasts of burden the rule commands that one should take 1 raboin per load as duty.

18. For all things which are exported by land to be taken to the Paynims the rule commands that one should take as duty per Besant 1 K.

19. For the duty for the salt fish which is imported from Babylon one should take the quarter, that is of 4 B. one of the four, as duty.

20. For the duty on flax which is imported from Babylon to Damascus the rule commands that one should take in transit for each camel 1 B. and 2 K. as duty.

21. For the duty on alcana the rule commands that one should take give for each sack a duty of 18½ K.

22. For the duty on all the spices of retail shop-keepers the rule commands that one should take as duty per besante 1 K.

23. For the duty of sesamum the rule commands that one should on importation per hundred, 10 B. as duty.

24. For the duty on oil of Sesamum the rule commands that one should take per hundred, 11 B. as duty.

25. For the duty upon incense the rule commands that one should take per hundred, 11 B. and 5 K. as duty.

26. The rule for cardemoine the law commands that one should take per hundred, 11 B. and 5 K. as duty.

27. The duty on ivory the law commands that one should take per besante 2 K. as duty.

28. For the duty on Sarcocoll the rule commands that one should take per hundred, 11 B. and 5 K.

29. For the duty on Galega the rule commands that one should take per hundred 4 B. and 4 K.

30. For the duty upon the twigs and the leaves of lavender the rule commands that one should take per hundred, 4 B. and 4 K.

31. For the duty on Myrodolan the rule commands that one should take per hundred 4 B. and 4 K.

32. For the duty on cinnamon the rule commands that one should take per hundred, 4 B. and 4 K.

33. For the duty on rhubarb the rule commands that one should take per hundred, 4 B. and 3 K. as duty.

34. For the duty on ginger the rule commands that one should take per hundred, 4 B. and 4 K. as duty.

35. For the duty upon camphor the rule commands that one should take per hundred, 11 B. and 8 K. as duty.

36. It is understood that the rule commands that one should take on borage per hundred, 11 B. and 5 K. as duty.

37. It is understood that the rule commands that one should take on aspic per hundred, 4 B. and 4 K. as duty.

38. It is understood that the rule commands that one should take on gariophylus per hundred, 4 B. and 4 K. as duty.

39. It is understood that the rule commands that one should take on ammonia, internal tax that is to say per hundred, 11 B. and 5 K.

40. It is understood that the rule commands that one should take on Nabeth sugar, an internal tax.

41. It is understood that the rule commands that one should take on dates, an internal tax.

42. It is understood that the rule commands that one should take on emery per hundred, 10 B. as duty.

43. It is understood that the rule commands that one should take on licorice Saracen and Syrian 1 and ½ tenths, but of French one should take only 13 B. per hundred as duty.

44. It is understood that the rule commands that one should take on sulphur of arsenic per hundred, 11 B. and 5 K. as duty.

45. It is understood that the rule commands that one should take on camphor root which is underneath per hundred, 11 B. and 5 K. as duty.

46. It is understood that the rule commands that one should take on straps and saddles which are exported from the city per B, 1 K. as duty.

47. It is understood that the rule commands that one should take on yellow sulphur of arsenic, an internal tax.

48. It is understood that the rule commands that one should take on libanotis per hundred 10 B. and 8 K. as duty.

49. It is understood that the rule commands that one should take on all planks and beams which are exported by land, as duty the quarter of what they cost.

50. It is understood that the rule commands that one should take as duty on planks used to construct threshing floors the tenth of what they cost.

51. It is understood that the rule commands that one should take upon salt fish exported from the city the quarter of what it cost as duty.

52. It is understood that the rule commands that one should take on fruit per hundred, 14 B. as duty.

53. It is understood that the rule commands that one should take on hens exported from the city and upon ? one should take an internal tax.

54. It is understood that the rule commands that one should take as duty on rafters per besant, 2 K.

55. It is understood that the rule commands that one should take on olives, 20 B.

56. It is understood that the rule commands that one should take on wine which is brought from Nazareth and from Saphourie and from Safran, per camel load as duty 12 drachmans.

57. It is understood that the rule commands that one should take of thread of Damascus an internal tax.

58. It is understood that the rule commands that one should take of senna per hundred, 20 B. as duty.

59. It is understood that the rule commands that one should take of red currants per hundred, 8 B. and $\frac{1}{3}$ which is the amount of the duty.

60. It is understood that the rule commands that one should take of wine which is imported from Antioch or from Lische or this side per besant, 1 K. as duty.

61. It is understood that the rule commands that one should take of the shoes which the Saracens purchase as tax of sale, the tenth.

62. It is understood that the rule commands that one should take as duties on wheat, the tenth.

63. It is understood that the rule commands that one should take on eggs the tenth as duty.

64. It is understood that the rule commands that one should take on hens and pullets as duty the tenth, that is to say per hundred, 10 B.

65. On the goats which are imported from the Paynims the rule commands that one should take the tenth as duty.

66. On geese which are brought into the city the rule commands that one should take the tenth as duty.

67. On the oil which comes to the custom-house the rule commands that one should take per hundred, 8 B. and 4 K. as duty.

68. On nut gall the rule commands that one should give and take as duty 5 B. and 18 K. per hundred.

69. On the wool which is imported from various parts the rule commands that one should take by law per hundred 10 B. and 18 K.

70. On wax the rule commands that one should take per hundred 2 B. and 5 K.

71. On pens the rule commands that one should take as internal tax that is to say 11 B. and 5 K. per hundred.

TRANSLATIONS AND REPRINTS

FROM THE

ORIGINAL SOURCES OF EUROPEAN HISTORY.

VOL. III. PERIOD OF THE LATER REFORMATION. No. 3.

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I. THE ABDICATION OF CHARLES V.

1. SPEECH OF CHARLES V. AT BRUSSELS.[1]

Migne: Charles Quint: son abdication, son séjour et sa mort au monastère de Yuste. pp. 93–98. French.

Although Philibert has fully explained to you, my friends, the causes which have determined me to surrender these states and leave them to my son Don Philip, in order that he may possess and rule them, yet I wish to say certain things with my own mouth. You will remember that upon the 5th of February of this year there had elapsed forty years since my grandfather the emperor Maximilian, in the same place and at the same hour declared my majority at the age of fifteen, withdrew me from the guardianship under which I had remained up to that time and made me master of myself. The following year, which was my sixteenth, king Ferdinand died, my mother's father and my grandfather, in the kingdom over which I then commenced to reign, because my beloved mother, who has but lately died, was left, after the death of my father, with disordered judgment and never sufficiently recovered her health to become mistress of herself.

At that time I went to Spain, by way of the sea. Soon came the death of my grandfather Maximilian, in my 19th year, and although I was still young they conferred upon me in his stead the imperial dignity. I had no inordinate ambition to rule a multitude of kingdoms, but merely sought to secure the welfare of Germany, to provide for the defence of Flanders, to consecrate my forces to the safety of Christianity against the Turk and to labor for the extension of the Christian religion. But although such zeal was mine, I was unable to show so much of it as I might have wished, on account of the troubles raised by the heresies of Luther and the other innovators of Germany, and on account of serious war into which the hostility and envy of neighboring princes had driven me, and from which I have safely emerged, thanks to the favor of God.

This is the fourth time that I go to Spain, there to bury myself. I wish to say to you that nothing I have ever experienced has given me so much pain or rested so heavily upon my soul as that which I experience in parting from you to-day, without leaving behind me that peace and quiet which I so much desired. My sister Mary who in my

[1] A full account of the circumstances under which this speech was made will be found in Motley's "Rise of the Dutch Republic," Vol. I., Cap. I.

absence has governed you so wisely and defended you so well, has explained to you, in the last assembly, the reasons for my determination. I am no longer able to attend to my affairs without great bodily fatigue and consequent detriment to the affairs of the state. The cares which so great a responsibility involves; the extreme dejection it causes; my health already ruined; all these leave me no longer the strength sufficient for governing the states which God has confided to me. The little strength that remains to me is rapidly disappearing. So I should long ago have put down the burden, if my son's immaturity and my mother's incapacity had not forced both my spirit and my body to sustain its weight until this hour.

The last time that I went to Germany I had determined to do what you see me do to-day, but I could not bring myself to do it when I saw the wretched condition of the Christian state, a prey to such a multitude of disturbances, of innovations, of singular opinions as to faith, of worse than civil wars, and fallen finally into so many lamentable disorders. I was turned from my purpose because my ills were not yet so great, and I hoped to make an end of all these things and restore the peace. In order that I might not be wanting in my duty I risked my strength, my goods, my repose and my life for the safety of Christianity and the defence of my subjects. From this struggle I emerged with a portion of the things I desired. But the king of France and certain Germans, failing to preserve the peace and amity they had sworn, marched against me and were upon the point of seizing my person. The king of France took the city of Metz, and I, in the dead of winter, exposed to intense cold, in the midst of snow and blood, advanced with a powerful army raised at my own expense to retake the city and restore the Empire. The Germans saw that I had not yet laid aside the imperial crown and had no disposition to allow its majesty to be diminished.

I have carried out what God has permitted, since the outcome of our efforts depends upon the will of God. We human beings act according to our powers, our strength, our spirit, and God awards the victory and permits defeat. I have ever done as I was able, and God has aided me. I return to him boundless thanks for having succored me in my greatest trials and in all my dangers.

To-day I feel so exhausted that I should not be of any aid to you, as you see yourselves. In my present state of dejection and weakness, I should have to render a great and serious account to God and

man, if I did not lay aside authority, as I have resolved to do, since my son, king Philip, is of an age sufficiently advanced to be able to govern you, and he will be, I hope, a good prince to all my beloved subjects.

I am determined then to retire to Spain, to yield to my son Philip the possession of all my states, and to my brother, the king of the Romans, the Empire. I particularly commend to you my son, and I ask of you in remembrance of me, that you extend to him the love which you have always borne towards me; moreover I ask you to preserve among yourselves the same affection and harmony. Be obedient towards justice, zealous in the observance of the laws, preserve respect for all that merits it, and do not refuse to grant to authority the support of which it stands in need.

Above all, beware of infection from the sects of neighboring lands. Extirpate at once the germs, if they appear in your midst, for fear lest they may spread abroad and utterly overthrow your state, and lest you may fall into the direst calamities. As to the manner in which I have governed you I confess that I have been more than once deceived, led astray by the inexperience of youth, by the hasty conclusions of young manhood, or by some other fault of human weakness. Nevertheless I make bold to assert, that never of my knowledge or by my will has wrong or violence been done to any of my subjects. If then any can complain of having suffered such, I aver that it is unknown to me and against my will; I declare before all the world that I regret it from the bottom of my heart, and I beseech all present, and those who are not here as well, to wish me well and to pardon me.

2. THE LIBRARY OF CHARLES V. AT SAN YUSTE.

Migne: Charles Quint: son abdication, etc., pp. 217–218. French.

The Almagestus, the great astronomical work of Ptolemy.

The Imperial Astronomy, by Santa Cruz, who had given lessons in mathematics to Charles V.

Caesar's Commentaries, in Italian [1] [Tuscan].

History of Spain, ancient and mediaeval, edited by Florian de Ocampo.

[1] Charles V. was not proficient in Latin. This study had been neglected purposely by his instructors, as inconsistent with the purposes of the prince's future career. The Emperor in 1550 commenced to write his own "Commentaries." It is likely that the manuscript was destroyed by Philip II. after the Emperor's death.

The " Consolations " of Boethius, of which there were several copies, in French, Italian and Latin.

Commentaries upon the German War, by the Grand Commander of Alcantara.[1]

Caballero Determinado, a poetical romance.[2]

Meditations of St. Augustine and two other books of pious meditations.

The works of Dr. Constantin Ponce de la Fuente,[3] and of Father Pedro de Soto upon Christian Doctrine.

Sum of Christian Mysteries, by Titleman.

Two breviaries, a missal, two illuminated psalters, the commentary of Father Thomas de Portocarrero upon the Psalm: *"In te, Domine, speravi."*

Selected prayers from the Bible.

3. THE GOLD OF THE INDIES—1559.

Michele Soriano: Relazione di Spagna. Ed. Albèri, I.-3, pp. 342-343. Italian.

From New Spain are obtained gold and silver, cochineal, (little insects like flies,) from which crimson dye is made, leather, cotton, sugar and other things; but from Peru nothing is obtained except minerals. The fifth part of all that is produced goes to the king, but since the gold and silver is brought to Spain and he has a tenth part of that which goes to the mint and is refined and coined, he eventually gets one-fourth of the whole sum, which fourth does not exceed in all four or five hundred thousand ducats, although it is reckoned not alone at millions, but at millions of pounds.[4] Nor is it

[1] The war of 1546-7. This work had a particular interest for Charles V. It had been written almost from his dictation by Luis de Avila y Zuñiga, translated into Latin by van Male and extensively circulated both in French and Italian.

[2] This poetical romance was originally written in French by Olivier de la Marche, to commemorate the adventurous life of Charles le Téméraire, great-grandfather of Charles V. The Emperor made a great part of it into Castilian rhyme, and the translation was finished by Fernand de Acuña. The copy at San Yuste was the Spanish translation, printed in 1555 by Jean Sleitz, at Antwerp.

[3] Whose bones and effigy were afterwards burned at an auto-da-fé in Seville, October, 1559, upon the occasion of the marriage of Philip II. with Isabella of France.

[4] According to Humboldt, Nouvelle-Espagne, IV., p. 562, the annual export of gold from America to Europe, between 1500 and 1545, amounted to 3,000,000 piasters; from 1545 to 1600 to 11,000,000 piasters. 1545 was the date of the opening of the Potosi mines. Ranke (Fürsten and Völker, I., 347 ff,) estimates the amount introduced into Spain, about 1525, at not much over 2,000,000 francs, and after 1550 at six times as much.

likely that it will long remain at this figure, because great quantities of gold and silver are no longer found upon the surface of the earth, as they have been in past years; and to penetrate into the bowels of the earth requires greater effort, skill and outlay, and the Spaniards are not willing to do the work themselves, and the natives cannot be forced to do so, because the Emperor has freed them from all obligation of service as soon as they accept the Christian religion. Wherefore it is necessary to acquire negro slaves, who are brought from the coasts of Africa, both within and without the Straits, and these are selling dearer every day, because on account of their natural lack of strength and the change of climate, added to the lack of discretion upon the part of their masters in making them work too hard and giving them too little to eat, they fall sick and the greater part of them die.[1]

4. REVENUES OF THE KING OF SPAIN—1559.

M. Soriano: Relazione, etc., I.–3, pp. 363-364. Italian.

From these his realms his majesty receives every year an income of five millions of gold in times of peace:[2] one and one-half millions from Spain; a half million from the Indies; one from Naples and Sicily, and another from Flanders and the Low Countries. But his expenses are six millions, and this excess is covered by extraordinary taxes according to his pleasure, whence it appears that he could control only a small amount of money for special undertakings, since he consumes for his ordinary needs everything that he derives from his realms. But looked at from another point of view, the Emperor, his father, although he had the same burdens, was nevertheless able to carry on extensive wars and enterprises in Italy and outside of Italy, both by

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[1] Earlier, in 1532, Niccolo Tiepolo, Ambassador to Charles V., writes concerning the Indies: "It is impossible to say anything certain about the Indies, because the income they afford varies greatly, so that in some years it has amounted to 150,000 ducats, and in other years it has not exceeded 30,000 ducats, and in this way it is more or less, according as there is brought from there in ships more or less gold and other minerals which pay one-fifth to the crown: but the average income, one year with another, might be put at about 150,000 ducats." A Venetian ducat was estimated to be about 2½ francs.

[2] In later years, when Philip's expenses, owing to his great projects, were some fourteen millions, although greater revenues were extracted from his realms, a considerable part of this outlay was covered by loans, obtained, so the Venetians relate, at high rates of interest, even at 24 per cent.

land and sea, and the same king was able in these later years to maintain great armies in Flanders, in Piedmont, in Lombardy and in the kingdom, and many soldiers in Africa against the Turk. So that we may calculate that he spent more than ten millions of gold; wherefore it may be put down as a fact that although expenses may exceed income, yet a way is not wanting to great princes, whereby they may find large sums of money in times of great need, particularly in the case of the king of Spain, not so much on account of the mines which are found in Spain and the Indies, of which the Spanish nation, according to its custom, makes no great account, as from the fact that he has so many states and so many subjects and nearly all are rich, and from them he has had so much aid, not through force or violence, but for the most part with common consent of the people, persuaded that public and private interest demanded such a policy.

It would appear that the great results which the Spaniards have accomplished are not to be ascribed to the financial strength derived from the mines, because you see on one side France and the Turk, extremely rich without mines, and on the other the Emperor, with more mines in his realms than all the rest of Europe possesses, always in need.

II. THE GENEVAN REFORMATION.

1. PREDESTINATION.

J. Calvin: Institutio Religionis Christianae. Liber III., Cap. XXI., § 7. Latin.

The works of John Calvin have been translated into English and published by the Calvin Translation Society in forty-seven volumes. Edinburgh, 1844–1854.

Therefore we say that the Scripture shows that God, by His eternal and immutable counsel once for all determined both those whom He desired one day to admit to salvation and those whom He would give back to destruction. We affirm that this counsel as to the elect is founded upon His gratuitous mercy, without any respect to human merit; but to those whom He has handed over to damnation, by His just and blameless though incomprehensible judgment, the way of life is closed.

In the case of the elect we regard calling[1] as an evidence of election, and justification another token of its manifestation, until they arrive in glory, where its fulness shall be found. Just as God seals His

[1] Vocationem.

elect by calling and justification, so by shutting out the rejected ones either from the knowledge of His name or the sanctification of His spirit He makes known to them the judgment that awaits them.

2. EXTRACT FROM THE GENEVAN CATECHISM OF 1541.

J. Calvin: Opera quae omnia supersunt. Ed. Baum, Cunitz and Reuss. Vol. VI., pp. 127–130. French (and Latin).

The Genevan Catechism was first published in French in 1536, in Latin in 1538 (vide *J. Calvin:* Opera, etc., Vol. V., pp. 313–362). A later arrangement was in French, 1541; Latin, 1545. In regard to the successive versions and their extensive circulation Theodore de Bèze, in his life of Calvin, writes as follows: "Calvin also wrote a catechism in French and Latin, not at all differing from the former one, but much enlarged and in the form of question and answer. This may well be termed an admirable work, and has been so much approved in foreign countries that it has not only been translated into a great number of living languages, such as German, English, Scotch, Flemish and Spanish, but also into Hebrew by Emanuel Tremmellius, a Christian Jew, and most eloquently into Greek by Henry Stephen."

It is to be noted that Bèze records that Calvin's doctrinal statements suffered no modification as the movement of which he was the head progressed. In this respect his intellectual history differed widely from that of the Wittenberg reformer.

Concerning the Lord's Supper.

The minister. Have we in the supper simply a signification of the things above mentioned, or are they given to us in reality?

The child. Since Jesus Christ is truth itself there can be no doubt that the promises he has made regarding the supper are accomplished, and that what is figured there is verified there also. Wherefore according as he promises and represents I have no doubt that he makes us partakers of his own substance, in order that he may unite us with him in one life.

The minister. But how may this be, when the body of Jesus Christ is in heaven, and we are on this earthly pilgrimage?

The child. It comes about through the incomprehensible power of his spirit, which may indeed unite things widely separated in space.

The minister. You do not understand then that the body is enclosed in the bread, or the blood in the cup?

The child. No. On the contrary, in order that the reality of the sacrament be achieved our hearts must be raised to heaven, where Jesus Christ dwells in the glory of the Father, whence we await him for our redemption; and we are not to seek him in these corruptible elements.

The minister. You understand then that there are two things in this sacrament: the natural bread and wine, which we see with the eye, touch with the hand and perceive with the taste; and Jesus Christ, through whom our souls are inwardly nourished?

The child. I do. In such a way moreover that we have there the very witness and so say a pledge of the resurrection of our bodies; since they are made partakers in the symbol of life.

3. DECISION OF CONSISTORY IN CASE OF HERETICAL PRACTICES.

J. Calvin: Opera quae omnia supersunt. Ed. Baum, Cunitz and Reuss. Vol. XXI., p. 387. French.

The following fragments, numbered 3, 4 and 5, may seem to afford a milder view of the Genevan government than has been commonly accepted. It is believed, however, that they represent more accurately the average activity of the organs of the Genevan state than the exceptional cases which appear in the narratives of most historians of the Reformation. It was only after all gentler methods had proven ineffective, or where the aggressor received the support of one of the factions that were seeking to destroy the state, that a resort was had to measures of violence.

Tuesday 31.[1] *Consistory.* The sister of Sr. Curtet, Lucresse, to whom remonstrances have been made on account of her going with certain monies to have masses said at Nessy[2] by the monks of St. Claire. Questioned whether she has no scruples as to what she says. Replied that her father and mother have brought her up to obey a different law from the one now in force here: however she does not despise the present law. Asked as to when was the festival of St. Felix, she replied that it was yesterday. Asked if she had not fasted, she replied that she fasted when it pleased her. Asked if she did not desire to pray to a single God; said that she did. Asked if she did not pray to St. Felix; said that she prayed to St. Felix and other saints who interceded for her. She is very obstinate. Decision that she be sent to some minister of her choice every sermon day and that the Lord's supper be withheld from her. *Calvin present.*

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[1] August, 1546.

[2] Annecy. (?)

4. SELECTIONS FROM ORDINANCES FOR THE REGULATION OF THE CHURCHES DEPENDENT UPON THE SIGNORY OF GENEVA—1547.[1]

J. Calvin: Opera, Vol. X., p. 51 et seq. French.

Concerning the Time of Assembling at Church.

That the temples be closed for the rest of the time,[2] in order that no one shall enter therein out of hours, impelled thereto by superstition; and if any one be found engaged in any special act of devotion therein or near by he shall be admonished for it: if it be found to be of a superstitious nature for which simple correction is inadequate, then he shall be chastised.

Blasphemy.

Whoever shall have blasphemed, swearing by the body or by the blood of our Lord, or in similar manner, he shall be made to kiss the earth for the first offence; for the second to pay 5 sous, and for the third 6 sous, and for the last offence be put in the pillory for one hour.

Drunkenness.

1. That no one shall invite another to drink under penalty of 3 sous.

2. That taverns shall be closed during the sermon, under penalty that the tavern-keeper shall pay 3 sous, and whoever may be found therein shall pay the same amount.

3. If any one be found intoxicated he shall pay for the first offence 3 sous and shall be remanded to the consistory; for the second offence he shall be held to pay the sum of 6 sous, and for the third 10 sous and be put in prison.

4. That no one shall make *roiaumes*[3] under penalty of 10 sous.

Songs and Dances.

If any one sing immoral, dissolute or outrageous songs, or dance the *virollet* or other dance, he shall be put in prison for three days and then sent to the consistory.

Usury.

That no one shall take upon interest or profit more than five per

[1] The group of ordinances from which the following examples are taken was intended for the village churches in the territory of Geneva.

[2] Referring to ordinances regulating the holding of religious services.

[3] "Grandes fêtes." Godefroy.

cent. upon penalty of confiscation of the principal and of being condemned to make restitution as the case may demand.

Games.

That no one shall play at any dissolute game or at any game whatsoever it may be, neither for gold nor silver nor for any excessive stake, upon penalty of 5 sous and forfeiture of stake played for.

5. EXTRACTS FROM ECCLESIASTICAL ORDINANCES OF 1561.

J. Calvin: Opera, Vol. X., pp. 107–108. French.

How soon Marriage must be Consummated after the Promise is Made.

After the promise is made the marriage shall not be deferred more than six weeks; otherwise the parties shall be called before the consistory, in order that they may be admonished. If they do not obey they shall be remanded to the council and be constrained to celebrate the marriage.

Banns and Conditions.

That the bans shall be published three Sundays in the church prior to the marriage, having first received the signature of the chief syndic as a certificate of recognition of the parties; in such a way, however, that the marriage may take place at the third publication, and if one of the parties be resident in another parish there shall be also a certificate from the said place.

Concerning the Celebration of the Marriage.

That the parties at the time when they are to be married shall go modestly to the church, without drummers and minstrels, preserving an order and gravity becoming to Christians; and this before the last stroke of the bell, in order that the marriage blessing may be given before the sermon. If they are negligent and come too late they shall be sent away.

Of the Common Residence of Husband and Wife.

That the husband shall have his wife with him and they shall live in the same house, maintaining a common household, and if it should happen that one should leave the other to live apart they shall be summoned in order that they may be remonstrated with and constrained to return, the one to the other.

6. COMPLAINT OF NICHOLAS DE LA FONTAINE AGAINST SERVETUS.

Process of 14 August, 1553, before the Lesser Council of Geneva.

J. Calvin: Opera, Vol. XIII., pp. 727–731. French.

Among the possible reasons which prevented Calvin from appearing personally against Servetus there was one which must have seemed of itself sufficient. The laws regulating criminal actions in Geneva required that in certain grave cases the complainant himself should be incarcerated pending the trial. Calvin's delicate health and his great and constant usefulness in the administration of the state rendered a prolonged absence from the public life of Geneva impracticable.

Nevertheless Calvin is to be regarded as the author of the prosecution, and in this and in the subsequent burning of Servetus his course met the approval of the most advanced theologians of the time. The idea that diverse religious views might be tolerated in the same political area made little headway during the sixteenth century. The Peace of Augsburg and the Edict of Nantes are evidences of this. In so far, however, as a broader concept was beginning to make its way, its beginnings are not to be sought in the minds of those who were sharpening their prejudices with acrimonious doctrinal disputation: and even when a glimmering of the modern solution appears, as in the public utterances of Chancellor L'Hôpital, its expression seems to have evoked no favorable response.

Nicholas de la Fontaine[1] *asserts that he has instituted proceedings against Michael Servetus, and on this account he has allowed himself to be held prisoner in criminal process.*

1. I.[2] In the first place that about twenty-four years ago the defendant commenced to annoy the churches of Germany with his errors and heresies, and was condemned and took to flight in order to escape the punishment prepared for him.[3]

2. II. *Item*, that on or about this time he printed a wretched book, which has infected many people.[4]

3. III. *Item*, that since that time he has not ceased by all means in his power to scatter his poison, as much by his construction of biblical text, as by certain annotations which he has made upon Ptolemy.

4. IV. *Item*, that since that time he has printed in secrecy another book containing endless blasphemies.[5]

[1] Nicholas de la Fontaine was a refugee in Geneva and entered the service of Calvin, by whom he was employed as secretary.

[2] There were as originally conceived forty articles, but prior to the presentation the number was reduced to thirty-eight, and both sets of numerals, Roman and Arabic, are preserved in the original document.

[3] It is impossible to substantiate this accusation except in so far as it may be justified in the publication of a book: *De Trinitatis Erroribus*, 1531.

[4] *Dialogorum de Trinitate*, 1532.

[5] *Christianismi Restitutio*, 1533.

5. V. *Item*, that while detained in prison in the city of Vienne, when he saw that they were willing to pardon him on condition of his recanting, he found means to escape from prison.

VI. Said Nicholas demands that said Servetus be examined upon all these points.

VII. And since he is able to evade the question by pretending that his blasphemies and heresies are nought else than good doctrine, said Nicholas proposes certain articles upon which he demands said heretic be examined.

6. VIII. To wit, whether he has not written and falsely taught and published that to believe that in a single essence of God there are three distinct persons, the Father, the Son, and the Holy Ghost, is to create four phantoms, which cannot and ought not to be imagined.

7. IX. *Item*, that to put such distinction into the essence of God is to cause God to be divided into three parts, and that this is a three-headed devil, like to Cerberus, whom the ancient poets have called the dog of hell, a monster, and things equally injurious.

8. X. *Item*, whether he has not maintained such blasphemies most injuriously, as much against the ancient doctors, such as St. Ambrose, St. Augustin, Chrysostom, Athanasius and the like as against all those who sought in our time to elevate Christianity, even to calling Melanchthon a man without faith, son of the Devil, Belial and Satan.

9. XI. *Item*, whether he does not say that our Lord Jesus Christ is not the Son of God, except in so much as he was conceived of the Holy Ghost in the womb of the virgin Mary.

10. XII. *Item*, that those who believe Jesus Christ to have been the word of God the Father, engendered through all eternity, have a scheme of redemption which is fanciful and of the nature of sorcery.

11. XIII. *Item*, that Jesus Christ is God, insomuch as God has caused him to be such.

12. XIV. *Item*, that the flesh of Jesus Christ came from heaven and from the substance of God.

13. XV. *Item*, that divinity was imparted to Jesus Christ only when he was made man, and afterwards spiritually communicated to the apostles on the day of Pentecost.

14. XVI. *Item*, that when it is said that Jesus Christ is of the same essence as his Father, it is the same as saying that in this man Jesus Christ there is the same Trinity, power and will as with God, and not that the word of God dwells and subsists in his essence.

15. XVII. *Item*, whether he does not condemn those who seek in the essence of God His holy spirit, saying that all those who believe in the Trinity are atheists.[1]

16. XVIII. *Item*, that those who believe in any distinction of property in the essence of God dissipate His nature and reduce it to fragments.

17. XIX. *Item*, that the word of God is no other thing than the flesh of Jesus Christ.

18. XX. *Item*, that the flesh of Jesus Christ was engendered, out of the same substance of God by a word which he calls "seminal."

19. XXI. That the essence of the flesh and of the soul of Jesus Christ is the divinity of this word and of the breath which God has breathed forth.

20. XXII. *Item*, that if Jesus Christ were the Son of God otherwise than on account of his humanity, because that is engendered out of the substance of God, then he would not be really dead. For if he is dead he is no longer the Son of God.

21. XXIII. *Item*, that when St. John says that the word was in God, it is the same as saying that the man Jesus Christ was there.

22. XXIV. *Item*, that the essence of the angels and of our souls is of the substance of God.

23. XXV. *Item*, that the substance of Jesus Christ is that which was in the skies, and that this is the same substance whence proceed the angels and our souls.

24. XXVI. *Item*, instead of confessing three persons in the essence of God, or three hypostases which have each His property, he says that God is a single entity, containing one hundred thousand essences, so that He is a portion of us, and that we are a portion of His spirit.

25. XXVII. *Item*, in consequence whereof not alone the models of all creatures are in God, but also the material forms, so that our souls are of the substantial seed of the word of God.

26. XXVIII. *Item*, that Jesus Christ is the Son of God because he has the elements of the substance of the Father, to wit: fire, air and water.

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[1] Servetus in the third interrogatory replies to this that he does not apply the term atheist to those who believe in the Trinity, "but those who disguise it as something which it is not, that is to say, those who make a real distinction in the divine essence, for these in dividing God remove the unity of the divine essence." Calvin insisted that the distinction was a real one.

27. XXIX. *Item*, that the soul of man is mortal, and that the only thing which is immortal is an elementary breath, which is the substance that Jesus Christ now possesses in heaven and which is also the elementary and divine and incorruptible substance of the Holy Ghost.

28. XXX. *Item*, that the Fathers under the Law have never received the spirit of regeneration.

29. XXXI. *Item*, that by the sin of Adam the soul of man as well as the body was made mortal.

30. XXXII. *Item*, that little children are sinless, and moreover are incapable of redemption until they come of age.

31. XXXIII. *Item*, that they do not commit mortal sin up to the age of twenty.

32. XXXIV. *Item*, that the baptism of little children is an invention of the Devil, an infernal falsehood tending to the destruction of all Christianity.

33. XXXV. *Item*, that the word of God is no longer that which it was before the incarnation of Jesus Christ, because its substance was the clearness of the skies and is now made flesh.

34. XXXVI. *Item*, that however much he confesses that the philosophers have erred in saying that the word was God Himself, he says that Jesus Christ, insomuch as he is man, was always in God and that from Him is the divinity of the world.

35. XXXVII. *Item*, that the air is the Spirit of God and that God is called Spirit, because he breathes life in all things by His spirit of air.

36. XXXVIII. *Item*, the soul of man insomuch as it possesses many divine properties is full of an affinity of God's.

37. XXXIX. *Item*, that in the person of Msr. Calvin, minister of the word of God in the Church of Geneva, he has defamed with printed book the doctrine which he preached, uttering all the injurious and blasphemous things which it is possible to invent.

38. XL. And because he knows well that his said book could not be tolerated even among Papists, insomuch as it destroyed all the foundations of Christianity, therefore he hid himself at the house of William Guerou, at that time proof corrector, as said Guerou has testified.

39. Said Nicholas demands that the said Servetus should be compelled to respond as to the fact of the articles here presented, without entering into dispute as to whether the doctrine is true or not, because that will appear later on.

In the articles of the Procureur Général are to be found several charges not incorporated in the complaint of Nicholas de la Fontaine. Among these are the following:

18. *Item*, whether he has married, and if he answers that he has not, he shall be asked why, in consideration of his age, he could refrain so long from marriage.

21. *Item*, whether he did not know that his doctrine was pernicious, considering that he favors the Jews and Turks, by making excuses for them, and if he has not studied the Koran in order to disprove and controvert the doctrine and religion that the Christian churches hold, together with other profane books, from which people ought to abstain in matters of religion, according to the doctrine of St. Paul.

22. *Item*, whether the said book Koran is not a bad book, full of blasphemies.

III. THE REFORMATION IN FRANCE.

1. THE PEOPLE OF FRANCE—1558.

Relazione de Giovanni Sorano. Ed. Albèri, I.-2, pp. 406–409. Italian.

The Reports of the Venetian Ambassadors offer an invaluable source of information regarding the affairs of Europe during the sixteenth century. They differ in character from the French accounts of the time, in which the interest of the narrator was centered principally upon the political activity of individuals. With the growing tendency to discover the economic facts that underlay and actuated this individual effort the Venetian Relations are likely to enjoy an increasing share of the attention of students.

The inhabitants of the kingdom are divided into four classes of persons, viz: nobles; men of the long robe; peasantry; and clergy. The nobles, under which designation are included lords and princes, do not dwell in the cities, but in the villages, in their castles, and for the most part give little attention to letters, but are either soldiers or follow the court, leaving the management of the house and the revenues to their wives.

The French are, generally speaking, suspicious, high spirited and impatient of restraint, wherefore it is noticeable that in war, after the first dash is over, they are almost useless. They are more liberal away from home than at home; nevertheless, whoever accommodates himself to their moods will find them for the most part courteous. They avoid labor in so far as they are able, and above all it is a peculiarity of the French-

man that he reflects little, and therefore very many of their conclusions are hastily arrived at; whence it often happens that they have no sooner finished an undertaking than they perceive its error and repent of it; but the strength of the kingdom is great enough to overcome all these errors.

There is no special burden upon the nobility beyond that which arises from their feudal holdings, which is to go to war at their own expense with such a number of horsemen as may be determined by the conditions of their investiture, in default of which they are condemned to pay money, and now the burden has become so great by reason of continued warfare that the nobility of France is seen to be almost wholly impoverished.

This militia is called the *arrière-ban*, because those who compose it are the last who are obliged to go to war and are for the defence of the kingdom. They are able to bring out about 16,000 horse, and they do not all come out at one time, but only that part for which an immediate need is felt; and from the fact that it is a very inferior soldiery, since the lords do not themselves go to war, but send their retainers and these badly equipped, it is understood that the king intends to do away with the obligation to send men to war and substitute a proportionate money payment, with which he may increase the number of his men-at-arms.

The second class embraces those who are called men of the long robe, and is divided into two groups. The first, which is the better bred, is made up of those who occupy judicial positions and all the other officials of the palace and those as well who manage the finances and accounts of the king. All these offices his majesty sells for the lifetime of the purchaser, and their honor and advantage is so great that they are bought at high prices. They enjoy also many important privileges, as though they were nobles, and easily secure the same for their descendants.

The other group is that of the merchants, who have personally no way of gaining a share in any sort of distinction, but if they wish to give a certain position to their sons they have them made doctors, whereby a judicial career is open to them equally with the members of the former group; and it may be said moreover that in them principally the wealth of France is to be found. No special burden is laid upon this class beyond the maintenance of 50,000 infantry for four months, for the defence of the kingdom in time of war, which contri-

bution has been for some time so modified that all the inhabitants of the cities and other walled places now contribute to it. But because the greater part of these who have offices from the king are exempt by special privilege, the burden has come to rest wholly upon those who are least able to bear it.

The third class is the peasantry, who are extremely poor, principally on account of the heavy taxes which they pay to the king, since they are obliged to pay an ordinary *taille* of four millions of francs; and also on account of the *aides*, which amount to six hundred thousand; in addition to this a million francs to augment the number of men-at-arms; and, outside of all this, in times of war, the *taille* has at times been increased in amount two millions of francs; to which burdens those peasants alone contribute who work the soil. The assessments are made first upon the provinces, are then distributed by villages, and the peasants arrange the further *per capita* assessment, each one being responsible for the others, in such a way that the king actually receives the whole amount that he has demanded.

The fourth class is the clergy, in which are comprised the 117 bishoprics, 15 archbishoprics and 1230 abbacies, besides an infinite number of priories and benefices, which altogether amount in value to six million francs of income, and in ordinary time the king levies upon these an annual tax of four-tenths; and sometimes, in case of war, even up to six-tenths. But from the fact that the assessment is made very loosely and upon an estimate of incomes as they existed many years ago, they do not render more than 300,000 francs for each tenth. The disposition of all these benefices belongs to the king, except in the case of those which become vacant through the death of those prelates who die at the Roman court, and these belong to the pope. The authority for this disposition was first granted by pope Leo; then enlarged by Clement and finally confirmed by pope Julius II.; nor shall I omit to say that these benefices are for the most part awarded with little respect for sacred things and by simple favor, or to recompense benefits conferred, with little consideration for the personality of the applicant; in such a way that whoever has served the king in war or otherwise desires no better thing by way of being rewarded than with benefices; wherefore it is a common thing to see a man who yesterday was a soldier or merchant, to-day a bishop or abbot: and if he has a wife and cannot assume ecclesiastical garb he is allowed to put his benefice under the name of another and retain

the revenues for himself. And it is on this account, as well as through the evil tendencies of the time, that heresy has increased to such an extent in this realm, that they say there are at present 400,000 Lutherans,[1] so united by intercourse and mutual understanding that it is with great difficulty that any method may be found of remedying this state of affairs.

2. THE FRENCH PROPOSITIONS.

Paolo Sarpi: Istoria del Concilio Tridentino. Vol. II., pp. 429–431. Italian.

The French propositions are presented as setting forth the program of the conservative element which aimed at reform without doctrinal division. The propositions are described as representing the desires of the court party in France, which at this time earnestly desired to arrive at some substantial bases of national religious union. The propositions were offered to the council of Trent in 1563, but had little influence upon the decisions of that body. Contemporary writers have expressed their doubts of the vigor exhibited by the French prelates in pressing a series of reforms whose adoption would have been so prejudicial to their pecuniary aspirations.

1. That priests shall not be ordained until of mature years, well recommended by the people, and their merits proven by a good past life; that their carnal offences shall be punished, and their transgressions, according to the canons.

2. That the sum of holy orders shall not be conferred in one day or at one time, but that he who is to be ordained to the higher shall first be approved in the lower.

3. That no priest shall be ordained, to whom is not given at the same time a benefice or ministry, according to the Council of Chalcedon, at which time a presbyterial title without its office was unknown.

4. That due functions shall be restored to deacons and other sacred orders, so that they may not appear to be empty names and merely ceremonial.

5. That priests and other ministers of the church shall attend to their vocations, and not meddle in any office except in the ministry of God.

7. That no one shall be made bishop who is not of lawful age, manners and doctrine, that he may teach and give an example to the people.

6. That no one shall be made a parish priest who is not of ap-

[1] In the early period of the religious disturbances in France all adherents to heretical confessions were called Lutherans, whether their inspiration came from Saxony or Switzerland.

proved honesty, that he may teach the people, celebrate the sacrifice, administer the sacraments and teach their use and effect upon recipients.

8. That no one shall be created abbot or conventual prior who has not studied the sacred letters in a university of note, and obtained the master's degree or some other.

9. That the bishop, of himself or by means of others, as many as are needed, according to the extent of the diocese, shall be obliged to preach every Sunday and Holy Day, in Lent, upon the days of fasting, and in Advent, and always when it is desirable.

10. That the parish priest shall do the same when there are hearers.

11. That the abbot and conventual prior shall read the Scriptures and found a hospital, in order that the ancient schools and the care of strangers may be restored to the monasteries.

12. That bishops, parish priests, abbots and other ecclesistics who are unable to perform their office, shall receive for this purpose coadjutors or surrender their benefices.

13. That there shall be ordained concerning the catechism and summary instruction in Christian doctrine that which His Imperial Majesty has proposed to the Council.

14. That a single benefice shall be conferred upon one person, doing away with the distinction of quality in individuals and the compatible and incompatible benefices, new distinctions unknown to the ancient decrees, and the cause of great disturbance in the Catholic church; and the regular benefices shall be given to regular, and the secular benefices to secular clergy.

15. That whoever at the present time has two or more benefices may retain that one only which he shall choose within a brief period of time; otherwise he shall incur the penalty of the ancient canons.

16. That in order to remove all cause of avarice from the sacerdotal order nothing shall be demanded, under any pretext whatsoever, for the administration of holy things; but it shall be provided that the curates[1] and two or more clerks shall have sufficient for them to live upon and exercise hospitality; the bishop shall accomplish this by the union of benefices, or by assigning tithes for this purpose, or where

[1] *Curati*, not in the sense of the French *curé*, i. e., parish priest; but assistants to the priest.

this is not possible the sovereign may make provision by subvention or by collections imposed upon the parishes.

17. That in the parish masses the gospel shall be clearly expounded with reference to the capacity of the people, and the prayers which the parish priest recites with the people shall be in the vulgar tongue, and when the sacrifice has been finished in Latin public prayers shall also be said in the vulgar tongue, and at the same time, and at other hours, spiritual hymns or psalms of David, approved by the bishop may be sung.

18. That the ancient decrees of Leo and Gelasius, for communion under both kinds, be renewed.

19. That previous to the administration of each sacrament there shall be given an explanation in the vulgar tongue, in order that the ignorant may understand its use and efficacy.

20. That according to the ancient canons benefices may not be conferred by vicars, but by the bishops themselves, before the expiration of six months, otherwise the collation shall pass to the next higher prelate and so on to the pope.

21. That the mandates establishing expectatives, regresses, resignations in confidence and commendations shall be revoked, and banished from the church, as contrary to the decrees.

22. That resignations in favor shall be wholly done away with in the Roman curia, since they are equivalent to the election or naming of a successor, a thing prohibited by the canons.

23. That simple priories, from which, contrary to the conditions of their establishment, the cure of souls has been taken away and assigned to a permanent vicar with a small portion of the tithes or other income, shall upon the first vacancy be restored to their former condition.

24. That in the case of benefices, with which is conjoined no office of preaching or of the administration of sacrifices, or other ecclesiastical burden, some spiritual function shall be assigned by the bishop, with the advice of his chapter, since it is neither right nor permissible that a benefice should exist without its office.

25. That pensions may not be imposed upon benefices and those so imposed shall be abolished, in order that the ecclesiastical income may be expended for the maintenance of pastors and the poor, and for other pious works.

26. That ecclesiastical jurisdiction throughout the diocese shall be restored in its entirety to the bishop and all exemptions removed,

except in case of the heads of orders and monasteries which are subject to them, and those who constitute the general chapters, to whom exemptions are granted by lawful title; with this provision however, that they may not be exempted from correction.

27. That the bishop may not use his jurisdiction nor determine the important affairs of the diocese except with the advice of his chapter; and the canons shall reside continuously in the cathedral and shall be of good habits, educated and at least twenty-five years of age: for previous to that age, since the law does not concede to them the control of their own goods, they ought not to be given as councillors to a bishop.

28. That the degrees of consanguinity, of affinity and spiritual kinship be observed or reformed anew; but it shall not be permitted to grant dispensations in these cases except to kings and princes for the public good.

29. That since many troubles have arisen on account of images, the synod shall provide that the people may be taught what they ought to believe concerning them, and that the abuses and superstitions, if any have been introduced into the worship, shall be removed. The same shall be done in the matter of indulgences, pilgrimages, relics of saints, and of companies or confraternities.

30. That the custom of public and ancient penance for serious and public sins shall be restored to the Catholic church and put in use, and also the custom of fastings and other sorrowful exercises and public prayers, to appease the wrath of God.

31. That excommunication may not be decreed for any sort of offence or contumacy, but only for the heaviest offences and those in which the offender perseveres after admonition.

32. That in order to abbreviate or do away with suits at law concerning benefices, with which the whole ecclesiastical order is contaminated, the distinctions of *petitores* and *possessores*, newly invented in these cases, shall be removed; the nominations of the universities shall be abolished; the bishop shall be instructed to confer benefices not upon him who seeks but upon him who flees them and is worthy; and the deserving may be known if, after having received his degree from the university, he shall have employed some time in preaching, with the consent of the bishop and the approbation of the people.

33. That when a suit regarding benefices arises, a steward shall be chosen, and the litigants shall elect arbitrators; and in case they fail

to do so the bishop shall appoint them, and they shall determine the case within six months, without appeal.

34. That episcopal synods shall be held at least once a year; provincial synods every third year; and general synods, unless something shall prevent, every tenth year.

3. THE COLLOQUY OF POISSY.

Theodore de Bèze. (?) Histoire Ecclésiastique des Églises Réformées au Royaume de France. Ed. Geneva (Antwerp), 1580. Vol. I., pp. 449 and 500. French.

These are the equitable conditions which we request may be observed in the conference or dispute touching the matter of religion;[1]

That bishops, abbés and other ecclesiastics shall not be constituted in any way our judges, in view of the fact that they are our opponents.

That it may please you, sire, to preside at the colloquy, accompanied by the queen, your mother, the king of Navarre and other princes of the blood and notable persons of good life and holy doctrine, who have no interest in the case, in order that good order may be maintained and all strife and confusion avoided.

That all points of difference may be judged and decided according to the simple word of God, as contained in the Old and New Testament, since our faith can be founded upon this alone, and that where any difficulty arises concerning the interpretation of words, they shall use the Hebrew for the Old and the Greek for the New Testament.

That two secretaries shall be chosen upon each side, who shall arrange together the subjects of dispute for each day, and their lists shall not be considered as determined until they have been examined and signed by both parties.

Speech of the King at the Opening of the Colloquy, September 9th, 1561.

Gentlemen, I have caused you to be assembled from the various places of my realm, in order that you may afford me counsel upon that which my chancellor will propose to you, praying you to put away all passion, that we may arrive at such results as will tend to the repose of all my subjects, to the honor of God, to the clearing of our consciences and to the public peace; things which I so ardently desire that I have determined that you shall not depart hence, until you have established good order, so that my subjects may henceforth dwell together in peace and unity, which things I hope you may accomplish,

[1] These conditions formed the substance of a petition presented by the Reformed leaders to Charles IX.

and in so doing you will afford me occasion for extending to you the same protection which the kings my predecessors have accorded you.

4. DEATH OF COLIGNY.

Histoire de M. de Thou des choses arrivées de son temps. Paris, 1659. Vol. III., pp. 660–662. French.

Meanwhile Coligny awoke and recognized from the noise that a riot was taking place. Nevertheless he remained assured of the king's good will, of which he was persuaded by his credulity or by Teligny, his son-in-law; and he believed the populace had been stirred up by the Guises and that quiet would be restored as soon as it was seen that soldiers of the guard under the command of Cosseins had been detailed to protect him and guard his property.

But when he perceived that the noise increased and that some one had fired an arquebuse in the courtyard of his dwelling, then at length conjecturing what it might be, but too late, he arose from his bed and having put on his dressing-gown he said his prayers, leaning against the wall. Lebonne held the key of the chamber, and when Cosseins commanded him in the king's name to open the door he obeyed at once without fear and apprehending nothing. But scarcely was Cosseins in the room when Labonne, who stood in his way, was killed with a dagger-thrust. The Swiss, who were in the courtyard, when they saw this, fled into the house and closed the door, piling against it tables and all the furniture they could find. It was in the first scrimmage that a Swiss was killed with a ball from an arquebuse fired by one of Cosseins' people. But finally the conspirators broke through the door and mounted the stairway, Cosseins, Attin, Corberan de Cordillac, Seigneur de Sarlabous, first captains of the regiment of the guards, Achilles Petrucci of Siena, all armed with cuirasses, and Besme the German, who had been brought up as a page in the house of Guise; for the duke of Guise was lodged at court, together with the great nobles and others who accompanied him.

After Coligny had said his prayers with Merlin the minister, he said without any appearance of alarm to those who were present, and almost all were surgeons, for few of them were of his retinue: "I see clearly that which they seek, and I am ready steadfastly to suffer that death which I have never feared and which for a long time past I have pictured to myself. I consider myself happy in feeling the approach of death and in being ready to die in God, by whose grace I hope

for the life everlasting. I have no further need of human succor. Go then from this place, my friends, as quickly as you may, for fear lest you shall be involved in my misfortune, and that some day your wives shall curse me as the author of your loss. For me it is enough that God is here, to whose goodness I commend my soul, which is so soon to issue from my body." After those words they ascended to an upper room whence they sought safety in flight here and there upon the tiles.

Meanwhile the conspirators, having burst through the door of the chamber, entered, and when Besme, sword in hand, had demanded of Coligny, who stood near the door, "Are you Coligny?" Coligny replied, "Yes, I am he," with fearless countenance. "But you, young man, respect these white hairs. What is it you would do? You cannot shorten by many days this life of mine." As he spoke Besme gave him a sword thrust through the body, and having withdrawn his sword, another thrust in the mouth, by which his countenance was disfigured. So Coligny fell, killed with many thrusts. Others have written that Coligny in dying pronounced as though in anger these words: "Would that I at least might die at the hands of a soldier and not a valet." But Attin, one of the murderers, has reported as I have written, and added that he never saw any one less afraid in so great a peril, nor die more steadfastly.

Then the duke of Guise inquired of Besme from the courtyard if the thing were done, and when Besme answered him that it was, the duke replied that the Chevalier d'Angoulême was unable to believe it unless he saw it; and at the same time that he made the inquiry they threw the body through the window into the courtyard, disfigured as it was with blood. When the Chevalier d'Angoulême, who could scarcely believe his eyes, had wiped away with a cloth the blood which overran the face and finally had recognized him, some say that he spurned the body with his foot. However this may be, when he left the house with his followers he said: "Cheer up, my friends! Let us do thoroughly that which we have begun. The king commands it." He frequently repeated these words and as soon as they had caused the palace clock to strike, on every side arose the cry "To arms," and the people ran to the house of Coligny. After his body had been insultingly treated in every way, they threw it into a neighboring stable and finally cut off his head, which they sent to Rome. They also cut off his privates and his hands and feet and dragged his body through the streets to the bank of the Seine, a thing which he had formerly almost prophesied, although he did not think of anything like this.

As the children were throwing the body into the river, it was dragged out and placed upon the gibbet of Montfaucon, where it hung by the feet in chains of iron; and then they built a fire beneath, by which he was burned without being consumed; so that he was, so to speak, tortured with all the elements, since he was killed upon the earth, thrown into the water, placed upon the fire, and finally put to hang in the air. After he had served for several days as a spectacle to gratify the hate of many and arouse the just indignation of many others, who reckoned that this fury of the people would cost the king of France many a sorrowful day, François de Montmorency, who was nearly related to the dead man, and still more his friend, and who moreover had escaped in time the danger, had him taken by night from the gibbet by trusty men and carried to Chantilly, where he was buried in the chapel.

5. THE ARTICLES OF THE LEAGUE.

P. V. Palma Cayet: Chronologie Novenaire. Ed. Buchon, pp. 8–9. French.

In the name of the Holy Trinity, Father, Son, and Holy Ghost, our only true God, to whom be glory and honor.

I. The association of Catholic princes, lords and gentlemen is intended to be and shall be formed for the purpose of establishing the law of God in its entirety; to restore and maintain the holy service of the same according to the form and manner of the holy Catholic Apostolic Roman church, abjuring and renouncing all errors to the contrary.

II. To maintain king Henry, third of this name, by the grace of God, and his successors, very Christian kings, in the state, splendor, authority, duty, service and obedience which are due him from his subjects, as is contained in the articles which shall be presented to him at the meeting of the Estates, which he swears and promises to protect at his consecration and coronation, solemnly asserting that he will do nothing prejudicial to that which shall be ordained by the said Estates.

III. To restore to the provinces of this kingdom and the Estates of the same the ancient rights, prerogatives, franchises and liberties, such as they were in the time of Clovis, the first Christian king, and still better and more profitable, if such are to be found, under the protection above named.

IV. In case there be any hindrance, opposition or rebellion against that which has been stated above, let it come from whatsoever source

it may, the said associates shall be bound and obliged to make use of all their possessions and means, and their very selves, even to death, in order to punish, chastise and fall upon those who have sought to constrain and hinder them; and to see to it that all the provisions above related shall be put into execution in reality and in fact.

V. In case any of the associates, their subjects, friends and allies should be molested, oppressed and made subject to investigation in the cases above mentioned by any person whatsoever, the said associates shall be bound to make use of their persons, goods and means, for the purpose of obtaining revenge upon those who have been guilty of the said oppressions and annoyances, whether by way of judicial process or by force of arms, making no exception of any person whatsoever.

VI. If it should come to pass that any of the associates, after having sworn an oath to the said association. should wish to retire or withdraw from the same under any pretext whatsoever (which may God forbid), such persons, falling away from their agreements, shall be injured in person and possessions, in all ways which may be devised, as enemies of God, rebels, violators of the public peace, without the said associates being disturbed or subject to investigation, either in public or in private.

VII. The said associates shall swear absolute and ready obedience and service to the head who shall be selected, to follow him and give counsel and comfort, as much for the support and preservation of the said association as for the destruction of those who set themselves against it, without respect of persons: and defaulting and dilatory members shall be punished by authority of the head and according to regulations laid down by him, to which the said associates shall submit themselves.

VIII. Notice shall be given to all Catholics in incorporated towns and villages and they shall be summoned secretly by the local governors to enter into the said association and to furnish their due proportion of arms and men for the purpose of the same, each according to his power and ability.

IX. That those who are unwilling to enter into the said association shall be considered enemies of the same and be subject to all sorts of injuries and annoyances.

X. It is forbidden to the said associates to enter into disputes or feuds among themselves without permission of the head, by whose

decision offenders shall be punished, as much for the purpose of obtaining honorable satisfaction, as in other cases.

XI. If for the protection or the greater security of the said associates any treaty should be made with the provinces of this realm, it shall be in the form above indicated and under the same conditions whether the association be extended to the said towns or demanded by them, unless the heads shall hold another opinion.

XII. I swear by God the Creator, upon the Gospels, and upon penalty of anathema and eternal damnation, that I have entered into this holy Catholic association according to the form of the agreement which has now been read to me, loyally and sincerely, be it to command, to obey, or to serve; and I promise upon my life and my honor, not to spare myself up to the last drop of my blood; and that I will not oppose the association or withdraw from it on account of any command, pretext, or excuse, whatever may be the occasion.

6. FRENCH POLITICAL VERSES OF THE 16TH CENTURY.

Pierre de Lestoile: Mémoires et Journal. Ed. Michaud, Vol. XIV., p. 16 et. seq. French.

Par l'oeil, l'espaule, et l'oreille,
Dieu a fait en France merveille;
Par l'oreille, l'espaule et l'oeil,
Dieu a mis troi rois au cerceuil;
Par l'oeil, l'oreille et l'espaule,
Dieu a tué trois rois en Gaule,
Antoine François et Henry,
Qui de lui point n'ont en soucy.

By the eye, the shoulder and the ear God has worked wonders in France; by the ear, the shoulder and the eye God has brought three kings to the bier; by the eye, the ear and the shoulder God has killed three kings in Gaul: Anthony, Francis and Henry, who never troubled themselves at all about Him.

Cy gist (mais c'est mal entendu,
Le mot pour lui est trop honneste):
Ici l'admiral est pendu
Par les pieds, à faute de teste.

Here lies—(but that isn't just the thing; the word is too decent for him):—here is hung the Admiral, by the feet, in default of a head.

S'on demande la convenance
De Catherine et Jezabel,
L'une, ruine d' Israel;
L'autre ruine de la France.
L'une estoit de malice extresme,
Et l'autre est la malice mesme.
Enfin le judgement fut tel:
Par une vengeance divine,
Les chiens mangerent Jezabel;
La charonge de Catherine
Sera différent en ce point
Car les chiens mesmes nen vovdront point.

If you ask the points of resemblance between Catherine and Jezebel, one was the ruin of Israel; the other the ruin of France. One was extremely malicious; the other is malice itself. In a word the judgment would be like this: By an act of divine vengeance the dogs devoured Jezebel; the carrion of Catherine will have a different fate in this respect, because the very dogs will have nothing to do with it.

Registre-Journal de Henri III. Ed. Michaud, Vol. XIV., p. 198.

TOUTE A TOUTES SAUSSES.

Le pauvre peuple endure tout,
Les gens d'armes ravagent tout,
La Sainte Eglise paye tout,
Les favoris demandent tout,
Le bon roi accorde tout,
Le parlement vérifie tout,
Le chancelier scelle tout,
Le Reine mere conduit tout,
Le Pape leur pardonne tout,
Chicot tout seul se rit de tout,
Le diable à la fin aura tout.

The poor people endure all, the troops plunder all, the holy church pays all, the favorites demand all, the good king yields all, the parlement approves all, the chancellor seals all, the queen mother conducts all, the pope pardons all to them, Chicot[1] *is the only one who laughs at all, the devil will eventually have all.*

[1] Probably a sixteenth century "Punch," who is supposed to recite the above.

7. EXTRACTS FROM THE EDICT OF NANTES.

Dumont: Corps Diplomatique. Vol. V., p. 545 et seq. French.

The Edict of Nantes, called the Edict of Henry IV., for the Pacification of the troubles of his Realm, was given at Nantes in the month of April, 1598, and published in Parlement February 15, 1599. It is of great length, containing 92 articles in the body of the edict, to which are appended 56 special articles. Out of these a few articles have been selected which seemed to embody the more important provisions concerning the settlement of the religious disorders in France.

III. We ordain that the Catholic Apostolic and Roman religion shall be restored and reëstablished in all places and localities of this our kingdom and countries subject to our sway, where the exercise of the same has been interrupted, in order that it may be peaceably and freely exercised, without any trouble or hindrance. Forbidding very expressly all persons of whatsoever estate, quality or condition, under the penalties recited above,[1] from troubling, molesting or disturbing ecclesiastics in the celebration of divine service, in the enjoyment or perception of tithes, fruits or revenues of their benefices, and all other rights and dues belonging to them; and that all those who during the troubles have taken possession of churches, houses, goods or revenues belonging to the said ecclesiastics, and who retain and occupy the same, shall surrender to them entire possession and peaceable enjoyment of such rights, liberties and sureties as they had before they were deprived of them. Forbidding thus very expressly to those of the said religion called Reformed[2] to have preaching or perform other exercise of the said religion in churches, houses and habitations of the said ecclesiastics.

VI. And in order to leave no occasion for troubles or differences between our subjects we have permitted and herewith permit those of the said religion called Reformed to live and abide in all the cities and places of this our kingdom and countries of our sway, without being annoyed, molested or compelled to do anything in the matter of religion contrary to their consciences, nor for this reason to be subject to visitation in houses and places where they desire to dwell, upon condition that they comport themselves in other respects according to that which is contained in this our present edict.

VII. It is permitted to all lords, gentlemen and other persons, natives and others as well, making profession of the said religion called

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[1] Of punishment as a breaker of the peace and disturber of the public repose.

[2] "*Ladite Religion prétendue Réformée.*"

Reformed, having high justice or full military tenure [1] [as in Normandy] in our realm or in the countries of our sway, be it as proprietor or in usufruct, in whole or in half, or for a third part, to enjoy in their houses of said high justice or tenure as above mentioned, which they shall be required to name before our bailiffs and seneschals, each one in his jurisdiction, as their principal domiciles, the exercise of the said religion, so long as they there reside; and in their absence their wives, or indeed their family, or any part of the same; and even if the right of high justice or full military tenure be in controversy, nevertheless the exercise of the said religion may be enjoyed, providing the aforesaid persons shall be in actual possession of the said right of high justice, even though our own Procureur Général be a party to the suit. We hereby permit the enjoyment of the said religion in their other houses of high justice or military tenure as aforesaid only when they are there present, and not otherwise: all this equally for themselves, their families and subjects as well as for others who desire to be present.

VIII. In houses of fiefs, where those of the said religion have not the said high justice or military tenure, the exercise of the said religion may be enjoyed for the family alone. It is not however intended, in case there should happen to arrive other persons, up to the number of thirty outside of the family, whether it be upon the occasion of a baptism, visits of friends or otherwise, that this should be cause for investigation: provided also that the said houses shall not be within the cities, towns or villages belonging to Catholic lords other than ourselves, having the right of high justice, in which the said Catholic lords shall have their houses. In which case those of the said religion shall not be able to enjoy said exercise in said towns or villages, unless by permission and leave of said lords high justices, and not otherwise.

IX. We also permit those of the said religion to make and continue the exercise of the same in all villages and places of our dominion where it was established by them and publicly enjoyed several and divers times in the year 1597, up to the end of the month of August, notwithstanding all decrees and judgments to the contrary.

XIII. We very expressly forbid to all those of the said religion the exercise, either in respect to ministry, regulation, discipline or the public instruction of children, and otherwise, in this our kingdom and

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[1] "*Fief de Haubert*," a grade of nobility ranking next below barons.

lands of our dominion, of all that concerns religion, otherwise than in the places permitted and granted by the present Edict.

XIV. As well from performing any function of the said religion in our court or retinue, or equally in our lands and territories beyond the mountains, or in our city of Paris or within five leagues of the said city: at the same time those of the said religion who live in the said lands and territories beyond the mountains and in our said city, and for five leagues thereabout, may not be investigated in their houses, nor constrained to do anything in respect to religion contrary to their consciences, providing they comport themselves in other respects according to that which is contained in our present Edict.

XV. And it will not be allowed to exercise the said religion in the armies, except in the quarters of those chiefs who may be of that confession, not however in those quarters wherein our own person is lodged.

XVIII. We also forbid all our subjects of whatever quality and condition, from carrying off by force or persuasion, against the will of their parents, the children of the said religion, in order to cause them to be baptised or confirmed in the Catholic Apostolic and Roman church: and the same is forbidden to those of the said religion called Reformed, upon penalty of being punished with especial severity.

XXI. Books concerning the said religion called Reformed may not be printed and publicly sold, except in cities and places where the public exercise of the said religion is permitted. And as for the other books, which may be printed in other cities, they shall be examined and investigated, as much by our officers as by theologians, according as it is prescribed in our ordinances. We forbid very expressly the printing, publishing and sale of all books, pamphlets and writings of a defamatory character, upon the penalty indicated in our ordinances: and we enjoin our judges and officers to carry out this order.

XXII. We ordain that there shall be no difference or distinction made in respect to the said religion, in receiving pupils to be instructed in universities, colleges and schools; nor in receiving the sick and poor into hospitals, retreats and public charities.

XXIII. Those of the said religion called Reformed shall be obliged to respect the laws of the Catholic Apostolic and Roman church, recognized in this our kingdom, for the consummation of marriages contracted or to be contracted as regards the degrees of consanguinity and kinship.

TRANSLATIONS AND REPRINTS

FROM THE

ORIGINAL SOURCES OF EUROPEAN HISTORY.

VOL. III. THE WITCH-PERSECUTIONS. NO. 4.

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INTRODUCTION.

The belief in witchcraft and the persecution of those supposed to practice it have been almost universal in human history. Christianity inherited both the belief and the persecution from the religions, Jewish and pagan, which preceded it. But, under the influence of its monotheistic faith and its humane spirit, it was long before the belief became throughout Christendom a panic and the persecution an epidemic. When, however, in the thirteenth century, the scholastic theology, in its love of logical completeness, gave new prominence to the Devil and his followers as the counterpart and parody of God and his church, and when, in the fourteenth century, the Holy Inquisition, successful in rooting out the heretics, turned its idle hands to the extirpation of those viler sinners whom it believed plighted wholly to Satan, the terror grew. The witch-persecutions it engendered ravaged for centuries all Christian lands, and have not yet wholly died away. It is with these persecutions, from their rise into full activity in the fifteenth century to their culmination in the seventeenth, that the present study deals. It seeks to illustrate their source, their scope, and their methods. With the superstitions which suggested the charges it concerns itself little. Both in these and in the procedure there is much too foul or too brutal for reproduction here. It was, indeed, no small part of the evil of the matter, that it so long debauched the imagination of Christendom.

I. THE THEORY OF WITCH-PERSECUTION.

Perhaps no better statement of the theory of witch-persecution, as it came to be accepted in all lands and by all shades of faith throughout Christendom, can anywhere be found than that of the Rev. Cotton Mather in a sermon which did much to make that theory known and effective in New England. The sermon, preached in Boston in 1689, was speedily printed, under the title of *A Discourse on Witchcraft*, in Mather's *Memorable Providences relating to Witchcraft and Possessions* (Boston, 1689). This book, "recommended by the Ministers of Boston and Charleston," was in no small degree responsible for the great Salem persecution, which broke out in 1692.

1. THE NATURE AND REALITY OF WITCHCRAFT.

Cotton Mather: Memorable Providences relating to Witchcrafts and Possessions (Boston, 1689), pp. 4-9 of "A Discourse on Witchcraft." English.

Such an Hellish thing there is as *Witchcraft* in the World. There are Two things which will be desired for the advantage of this Assertion. It should *first* be show'd,

WHAT *Witchcraft* is;

My Hearers will not expect from me an accurate *Definition* of the *vile Thing;* since the Grace of God has given me the Happiness to speak without *Experience* of it. But from Accounts both by *Reading* and *Hearing* I have learn'd to describe it so.

WITCHCRAFT is the Doing of *Strange* (and for the most part *Ill*) Things by the help of *evil Spirits, Covenanting* with (and usually *Representing* of) the woful children of men.

This is the *Diabolical Art* that *Witches* are notorious for.

First. *Witches* are the Doers of *Strange* Things. They cannot indeed perform any proper *Miracles*; those are things to be done only by the *Favourites* and *Embassadours* of the LORD. But *Wonders* are often produced by them, though chiefly such Wonders as the Apostle calls in *2. Thes.* 2. 9. *Lying wonders.* There are *wonderful Storms* in the *great* World, and *wonderful Wounds* in the *little* World,[1] often effected by these *evil Causes.* They do things which transcend the ordinary *Course* of Nature, and which puzzle the ordinary *Sense* of Mankind. Some *strange* things are done by them in a way of *Real Production.* They do really *Torment*, they do really *Afflict* those that their Spite shall extend unto. Other *Strange* Things are done by them in a way of *Crafty Illusion.* They do craftily make of the *Air*, the

[1] i. e., in Man—the microcosm. The "great world" is the universe.

Figures and *Colours* of things that never can be truly created by them. All men might *see*, but, I believe, no man could *feel*, some of the Things which the *Magicians* of *Egypt* exhibited of old.

Secondly. They are not only *strange* Things, but *Ill* Things, that *Witches* are the Doers of. In this regard also they are not the Authors of *Miracles:* those are things *commonly* done for the *Good* of Man, *alwaies* done for the *Praise* of *God.* But of these *Hell-hounds* it may in a special manner be said, as in *Psal.* 52, 3. *Thou lovest evil more than good.* For the most part they labour to robb *Man* of his *Ease* or his *Wealth*; they labour to wrong *God* of His *Glory.* There is Mention of Creatures that they call *White Witches*, which do only *Good-Turns* for their Neighbours. I suspect that there are none of that sort; but rather think, *There is none that doeth good, no, not one.* If they *do good*, it is only that they *may* do *hurt.*

Thirdly. It is by virtue of *evil Spirits* that *Witches* do what they do. We read in *Ephes.* 2, 2. about the *Prince of the power of the air.* There is confined unto the *Atmosphere* of our *Air* a vast *Power*, or *Army* of *Evil Spirits*, under the Government of a Prince who employes them in a continual Opposition to the Designs of GOD: The Name of that *Leviathan*, who is the *Grand-Seigniour of Hell*, we find in the Scripture to be *Belzebub.* Under the Command of that mighty Tyrant, there are vast *Legions* & *Myriads* of Devils, whose *Businesses* & *Accomplishments* are not all the same. Every one has his *Post*, and his *Work;* and they are all glad of an opportunity to be *mischievous* in the World. These are they by whom *Witches* do exert their Devillish and malignant Rage upon their *Neighbours:* And especially Two Acts concur hereunto. The *First* is, Their *Covenanting* with the Witches. There is a most hellish *League* made between them, with various *Rites* and *Ceremonies.* The *Witches* promise to serve the *Devils*, and the *Devils* promise to *help* the witches; *How!* It is not convenient[1] to be related. The *Second* is, their *Representing* of the Witches. And hereby indeed these are drawn into *Snares* and *Cords* of Death. The Devils, when they go upon the Errands of the *Witches*, do bear their *Names*; and hence do *Harmes* too come to be carried from the *Devils* to the *Witches.* We need not suppose such a wild thing as the *Transforming* of those Wretches into *Bruits* or *Birds*, as we too often do.

[1] i. e., not seemly: perhaps because the details are too vile, perhaps because the preacher will not tempt his hearers.

It should next be proved *THAT* Witchcraft *is.*

The *Being* of such a thing is denied by many that place *a great part* of their *small wit* in derideing the Stories that are told of it. Their chief Argument is, That they never *saw* any Witches, therefore there are *none.* Just as if you or I should say, We never met with any *Robbers* on the Road, therefore there never was any *Padding* there.

Indeed the *Devils* are loath to have true Notions of *Witches* entertained with us. I have beheld them to put out the eyes of an enchaunted Child, when a Book that proves, *There is Witchcraft,* was laid before her. But there are especially Two Demonstrations that evince the Being of that Infernal mysterious thing.

First. We have the Testimony of *Scripture* for it. We find *Witchcrafts* often mentioned, sometimes by way of *Assertion,* sometimes by way of *Allusion,* in the Oracles of God. Besides that, We have there the History of diverse *Witches* in these infallible and inspired Writings. Particularly, the Instance of the *Witch* at *Endor,* in 1 *Sam.* 28. 7. is so plain and full that *Witchcraft* it self is not a more amazing thing, than any *Dispute* about the Being of it, after this. The Advocates of *Witches* must use more *Tricks* to make Nonsense of the *Bible,* than ever the *Witch* of *Endor* used in her Magical Incantations, if they would evade the Force of that famous History. They that will believe no *Witches,* do imagine that *Jugglers* only are meant by them whom the Sacred Writ calleth so. But what do they think of that law in *Exod.* 22. 18. *Thou shalt not suffer a Witch to live?* Methinks 'tis a little too hard to punish every silly *Juggler* with so great Severity.

Secondly. We have the *Testimony* of *Experience* for it. What will those *Incredulous,* who must be the only *Ingenious* men, say to This? Many *Witches* have like those in *Act.* 19. 18. *Confessed and shewed their Deeds.* We see those things done, that it is impossible any *Disease* or any *Deceit* should procure. We see some hideous *Wretches* in hideous *Horrours* confessing, *That they did the Mischiefs.* This *Confession* is often made by them that are owners of as much Reason as the people that laugh at all *Conceit* of *Witchcraft:* the exactest Scrutiny of skilful Physicians cannot find any Distraction in their minds. This *Confession* is often made by them that are apart One from another, and yet they *agree* in all the Circumstances of it. This *Confession* is often made by them that at the same time will produce the *Engines* and *Ensignes* of their *Hellish Trade,* and give the standers-by an *Ocular Conviction*

of *what* they do, and *how*. There can be no Judgment left of any *Humane Affairs*, if such *Confessions* must be Ridiculed: all the *Murders*, yea, and all the *Bargains* in the World must be meer *Imaginations* if such *Confessions* are of no Account.

2. THE DUTY OF PERSECUTION.

Bodin, De la Démonomanie des Sorciers, Paris, 1580, liv. iv, chap. 5. French.

Jean Bodin, jurist and statesman, was not only one of the most eminent European publicists of the sixteenth century, but one of the most rational and tolerant thinkers of his time. Yet even such a man could thus write "Of the punishments deserved by witches":

There are two means by which states are maintained in their weal and greatness—reward and penalty: the one for the good, the other for the bad. And, if the distribution of these two be faulty, nothing else is to be expected than the inevitable ruin of the state. . . .

But those greatly err who think that penalties are established only to punish crime. I hold that this is the least of the fruits which accrue therefrom to the state. For the greatest and the chief is the appeasing of the wrath of God, especially if the crime is directly against the majesty of God, as is this one. . . . Now, if there is any means to appease the wrath of God, to gain his blessing, to strike awe into some by the punishment of others, to preserve some from being infected by others, to diminish the number of evil-doers, to make secure the life of the well-disposed, and to punish the most detestable crimes of which the human mind can conceive, it is to punish with the utmost rigor the witches. . . .[1] Now, it is not within the power of princes to pardon a crime which the law of God punishes with the penalty of death—such as are the crimes of witches. Moreover, princes do gravely insult God in pardoning such horrible crimes committed directly against his majesty, seeing that the pettiest prince avenges with death insults against himself. Those too who let the witches escape, or who do not punish them with the utmost rigor, may rest assured that they will be abandoned by God to the mercy of the witches. And the country which shall tolerate this will be scourged with pestilences, famines, and wars; and those which shall take vengeance on the witches will be blessed by him and will make his anger to cease. Therefore it is that one accused

[1] Bodin then proceeds to enumerate fifteen distinct crimes, all horrid, of which every witch is guilty, and argues that, in default of proof, violent presumption should suffice for the sentence of witches to death.

of being a witch ought never to be folly acquitted and set free unless the calumny of the accuser is clearer than the sun, inasmuch as the proof of such crimes is so obscure and so difficult that not one witch in a million would be accused or punished if the procedure were governed by the ordinary rules. . . .

II. THE BEGINNINGS OF THE WITCH-PERSECUTIONS.

1. WITCH-PERSECUTION IN THE EARLIER FIFTEENTH CENTURY.

Nider, Formicarius, ed. of Augsburg, ca. 1476, lib. v, cap. 3. Latin.

One of the earliest books which throws light upon the methods of the persecutions is the *Formicarius*, or "Ant-Hill," of the Dominican theological professor, Johannes Nider, written, in its final form, about 1437. The work is an edifying dialogue between a theologian and a doubter as to sundry topics difficult to faith; and its fifth and final book is devoted to "witches and their deceptions." The sources and the nature of Nider's knowledge may be gathered from the following answer of the theologian to the doubter's request for information as to the injuries inflicted by witches upon the human beings.

I will relate to you some examples, which I have gained in part from the teachers of our faculty, in part from the experience of a certain upright secular judge, worthy of all faith, who from the torture and confession of witches and from his experiences in public and private has learned many things of this sort—a man with whom I have often discussed this subject broadly and deeply—to wit, Peter, a citizen of Bern, in the diocese of Lausanne, who has burned many witches of both sexes, and has driven others out of the territory of the Bernese.[1] I have moreover conferred with one Benedict, a monk of the Benedictine order, who, although now a very devout cleric in a reformed monastery at Vienna, was a decade ago, while still in the world, a necromancer, juggler, buffoon, and strolling player, well-known as an expert among the secular nobility. I have likewise heard certain of the following things from the Inquisitor of Heretical Pravity[2] at Autun, who was a devoted reformer of our order in the convent at Lyons, and has convicted many of witchcraft in the diocese of Autun.

Relating then two or three anecdotes derived from these sources, the theologian closes his answer with this one:

The same procedure was more clearly described by another young man, arrested and burned as a witch, although, as I believe, truly, pen-

[1] This Peter has been shown to be Peter of Gruyères, Bernese castellan in the Simmenthal, 1392-1406.

[2] Such was the official title of a representative of the Holy Inquisition.

itent, who had earlier, together with his wife, a witch invincible to persuasion,[1] escaped the clutches of the aforesaid judge, Peter. The aforesaid youth, being again indicted at Bern, with his wife, and placed in a different prison from hers, declared: "If I can obtain absolution for my sins, I will freely lay bare all I know about witchcraft, for I see that I have death to expect." And when he had been assured by the scholars that, if he should truly repent, he would certainly be able to gain absolution for his sins, then he gladly offered himself to death, and disclosed the methods of the primeval infection.

The ceremony, he said, of my seduction was as follows: First, on a Sunday, before the holy water is consecrated, the future disciple with his masters must go into the church, and there in their presence must renounce Christ and his faith, baptism, and the church universal. Then he must do homage to the *magisterulus*, that is, to the little master (for so, and not otherwise, they call the Devil). Afterward he drinks from the aforesaid flask;[2] and, this done, he forthwith feels himself to conceive and hold within himself an image of our art and the chief rites of this sect. After this fashion was I seduced; and my wife also, whom I believe of so great pertinacity that she will endure the flames rather than confess the least whit of the truth; but, alas, we are both guilty. What the young man had said was found in all respects the truth. For, after confession, the young man was seen to die in great contrition. His wife, however, though convicted by the testimony of witnesses, would not confess the truth even under the torture or in death; but, when the fire was prepared for her by the executioner, uttered in most evil words a curse upon him, and so was burned.

2. THE WITCH-BULL OF 1484.

Bullarium Romanum (Taurinensis editio), sub anno 1484. Latin. The bull is also printed in full at the head of the *Malleus maleficarum*, described below.

Despite the efforts of the Dominicans, it was with much difficulty that the new terror of witchcraft and the persecution based on it were spread throughout Europe. In Germany, especially, the Inquisitors charged with the task found themselves hampered by skepticism. In 1484, therefore, they turned their steps toward Rome for help, and on December 5th they won from the new Pope, Innocent VIII, a bull which once for all closed the mouths of doubters and compelled the coöperation of

[1] This means, of course, only that she could not be persuaded to confess.

[2] A flask described in a preceding anecdote as filled with a liquid made from murdered infants.

the German authorities, both ecclesiastical and lay. This bull, known from its first words as *Summis desiderantes*, runs as follows :

Innocentius, episcopus, servus servorum Dei. Ad futuram rei memoriam.

Desiring with supreme ardor, as pastoral solicitude requires, that the catholic faith in our days everywhere grow and flourish as much as possible, and that all heretical pravity be put far from the territories of the faithful, we freely declare and anew decree this by which our pious desire may be fulfilled, and, all errors being rooted out by our toil as with the hoe of a wise laborer, zeal and devotion to this faith may take deeper hold on the hearts of the faithful themselves.

It has recently come to our ears, not without great pain to us, that in some parts of upper Germany, as well as in the provinces, cities, territories, regions, and dioceses of Mainz, Köln, Trier, Salzburg, and Bremen, many persons of both sexes, heedless of their own salvation and forsaking the catholic faith, give themselves over to devils male and female, and by their incantations, charms, and conjurings, and by other abominable superstitions and sortileges, offences, crimes, and misdeeds, ruin and cause to perish the offspring of women, the foal of animals, the products of the earth, the grapes of vines, and the fruits of trees, as well as men and women, cattle and flocks and herds and animals of every kind, vineyards also and orchards, meadows, pastures, harvests, grains and other fruits of the earth ; that they afflict and torture with dire pains and anguish, both internal and external, these men, women, cattle, flocks, herds, and animals, and hinder men from begetting and women from conceiving, and prevent all consummation of marriage ; that, moreover, they deny with sacrilegious lips the faith they received in holy baptism ; and that, at the instigation of the enemy of mankind, they do not fear to commit and perpetrate many other abominable offences and crimes, at the risk of their own souls, to the insult of the divine majesty and to the pernicious example and scandal of multitudes. And, although our beloved sons Henricus Institoris and Jacobus Sprenger, of the order of Friars Preachers, professors of theology, have been and still are deputed by our apostolic letters as inquisitors of heretical pravity, the former in the aforesaid parts of upper Germany, including the provinces, cities, territories, dioceses, and other places as above, and the latter throughout certain parts of the course of the Rhine ; nevertheless certain of the clergy and of the laity of those parts, seeking to be wise above what is fitting, because in the said letter of deputation the

aforesaid provinces, cities, dioceses, territories, and other places, and the persons and offences in question were not individually and specifically named, do not blush obstinately to assert that these are not at all included in the said parts and that therefore it is illicit for the aforesaid inquisitors to exercise their office of inquisition in the provinces, cities, dioceses, territories, and other places aforesaid, and that they ought not to be permitted to proceed to the punishment, imprisonment, and correction of the aforesaid persons for the offences and crimes above named. Wherefore in the provinces, cities, dioceses, territories, and places aforesaid such offences and crimes, not without evident damage to their souls and risk of eternal salvation, go unpunished.

We therefore, desiring, as is our duty, to remove all impediments by which in any way the said inquisitors are hindered in the exercise of their office, and to prevent the taint of heretical pravity and of other like evils from spreading their infection to the ruin of others who are innocent, the zeal of religion especially impelling us, in order that the provinces, cities, dioceses, territories, and places aforesaid in the said parts of upper Germany may not be deprived of the office of inquisition which is their due, do hereby decree, by virtue of our apostolic authority, that it shall be permitted to the said inquisitors in these regions to exercise their office of inquisition and to proceed to the correction, imprisonment, and punishment of the aforesaid persons for their said offences and crimes, in all respects and altogether precisely as if the provinces, cities, territories, places, persons, and offences aforesaid were expressly named in the said letter. And, for the greater sureness, extending the said letter and deputation to the provinces, cities, dioceses, territories, places, persons, and crimes aforesaid, we grant to the said inquisitors that they or either of them, joining with them our beloved son Johannes Gremper, cleric of the diocese of Constance, master of arts, their present notary, or any other notary public who by them or by either of them shall have been temporarily delegated in the provinces, cities, dioceses, territories, and places aforesaid, may exercise against all persons, of whatsoever condition and rank, the said office of inquisition, correcting, imprisoning, punishing, and chastising, according to their deserts, those persons whom they shall find guilty as aforesaid.

And they shall also have full and entire liberty to propound and preach to the faithful the word of God, as often as it shall seem to them fitting and proper, in each and all of the parish churches in the said provinces, and to do all things necessary and suitable under the aforesaid circumstances, and likewise freely and fully to carry them out.

And moreover we enjoin by apostolic writ on our venerable brother, the Bishop of Strasburg, that, either in his own person or through some other or others solemnly publishing the foregoing wherever, whenever, and how often soever he may deem expedient or by these inquisitors or either of them may be legitimately required, he permit them not to be molested or hindered in any manner whatsoever by any authority whatsoever in the matter of the aforesaid and of this present letter, threatening all opposers, hinderers, contradicters, and rebels, of whatever rank, state, decree, eminence, nobility, excellence, or condition they may be, and whatever privilege of exemption they may enjoy, with excommunication, suspension, interdict, and other still more terrible sentences, censures, and penalties, as may be expedient, and this without appeal and with power after due process of law of aggravating and reaggravating these penalties, by our authority, as often as may be necessary, to this end calling in the aid, if need be, of the secular arm.

And this, all other apostolic decrees and earlier decisions to the contrary notwithstanding; or if to any, jointly or severally, there has been granted by this apostolic see exemption from interdict, suspension, or excommunication, by apostolic letters not making entire, express, and literal mention of the said grant of exemption; or if there exist any other indulgence whatsoever, general or special, of whatsoever tenor, by failure to name which or to insert it bodily in the present letter the carrying out of this privilege could be hindered or in any way put off,—or any of whose whole tenor special mention must be made in our letters. Let no man, therefore, dare to infringe this page of our declaration, extension, grant, and mandate, or with rash hardihood to contradict it. If any presume to attempt this, let him know that he incurs the wrath of almighty God and of the blessed apostles Peter and Paul.[1]

Given in Rome, at St. Peter's, in the year of Our Lord's incarnation 1484, on the nones of December, in the first year of our pontificate.

3. THE WITCH-HAMMER.

Even when armed with the papal bull, the German Inquisitors found their preparation incomplete. Soon after their return from Rome they set themselves at the compilation of a hand-book which should leave no judge an excuse for laxity—an exposition of witchcraft and a code of procedure for the detection and punishment of witches. This, completed in 1486, they called *Malleus Maleficarum*, "The Witch-Hammer." As a specimen may serve a part of its

[1] These "final clauses" are those found at this period in all bulls of the class known as *tituli*.

Directions for the Torture of a Witch.

Malleus Maleficarum, pars iii, quæstio 14. Latin. Editions are many.

The method of beginning an examination by torture is as follows: First, the jailers prepare the implements of torture, then they strip the prisoner (if it be a woman, she has already been stripped by other women, upright and of good report).[1] This stripping is lest some means of witchcraft may have been sewed into the clothing—such as often, taught by the Devil, they prepare from the bodies of unbaptized infants, [murdered] that they may forfeit salvation. And when the implements of torture have been prepared, the judge, both in person and through other good men zealous in the faith, tries to persuade the prisoner to confess the truth freely; but, if he will not confess, he bids attendants make the prisoner fast to the strappado or some other implement of torture. The attendants obey forthwith, yet with feigned agitation. Then, at the prayer of some of those present, the prisoner is loosed again and is taken aside and once more persuaded to confess, being led to believe that he will in that case not be put to death.

Here it may be asked whether the judge, in the case of a prisoner much defamed, convicted both by witnesses and by proofs, nothing being lacking but his own confession, can properly lead him to hope that his life will be spared—when, even if he confess his crime, he will be punished with death.

It must be answered that opinions vary. Some hold that even a witch of very ill repute, against whom the evidence justifies violent suspicion, and who, as a ringleader of the witches, is accounted very dangerous, may be assured her life, and condemned instead to perpetual imprisonment on bread and water, in case she will give sure and convincing testimony against other witches; yet this penalty of perpetual imprisonment must not be announced to her, but only that her life will be spared, and that she will be punished in some other fashion, perhaps by exile. And doubtless such notorious witches, especially those who prepare witch-potions or who by magical methods cure those bewitched, would be peculiarly suited to be thus preserved, in order to aid the bewitched or to accuse other witches, were it not that their accusations cannot be trusted, since the Devil is a liar, unless confirmed by proofs and witnesses.

[1] Sometimes, in place of the prisoner's clothing, a garment furnished by the court was now supplied, to be worn during the torture.

Others hold, as to this point, that for a time the promise made to the witch sentenced to imprisonment is to be kept, but that after a time she should be burned.

A third view is, that the judge may safely promise witches to spare their lives, if only he will later excuse himself from pronouncing the sentence and will let another do this in his place. . . .

But if, neither by threats nor by promises such as these, the witch can be induced to speak the truth, then the jailers must carry out the sentence, and torture the prisoner according to the accepted methods, with more or less of severity as the delinquent's crime may demand. And, while he is being tortured, he must be questioned on the articles of accusation, and this frequently and persistently, beginning with the lighter charges—for he will more readily confess the lighter than the heavier. And, while this is being done, the notary must write down everything in his record of the trial—how the prisoner is tortured, on what points he is questioned, and how he answers.

And note that, if he confesses under the torture, he must afterward be conducted to another place, that he may confirm it and certify that it was not due alone to the force of the torture.

But, if the prisoner will not confess the truth satisfactorily, other sorts of tortures must be placed before him, with the statement that, unless he will confess the truth, he must endure these also. But, if not even thus he can be brought into terror and to the truth, then the next day or the next but one is to be set for a *continuation* of the tortures—not a *repetition*,[1] for they must not be repeated unless new evidences be produced.

The judge must then address to the prisoners the following sentence: We, the judge, etc., do assign to you,——, such and such a day for the continuation of the tortures, that from your own mouth the truth may be heard, and that the whole may be recorded by the notary.

And during the interval, before the day assigned, the judge, in person or through approved men, must in the manner above described try to persuade the prisoner to confess, promising her[2] (if there is aught to be gained by this promise) that her life shall be spared.

The judge shall see to it, morever, that throughout this interval

[1] This was, of course, a legal fiction, to avoid the merciful restriction put by law upon the repetition of torture.

[2] This change in the gender of the pronoun is a faithful following of the original.

guards are constantly with the prisoner, so that she may not be left alone; because she will be visited by the Devil and tempted into suicide.

III. THE WITCH-PERSECUTION AT TRIER.

It was, however, not till a century later, in the second half of the sixteenth century, that the witch-persecutions reached their height. One of the fiercest was that which raged in the dominions of the Elector-Archbishop of Trier (Trèves) in western Germany. One who had been an eye-witness, the canon Linden, in later years described it thus:

I. THE SCOPE OF THE PERSECUTION.

Linden, *Gesta Trevirorum* (from his manuscript in the City Library of Trier.)[1] Latin.

Inasmuch as it was popularly believed that the continued sterility of many years was caused by witches through the malice of the Devil, the whole country rose to exterminate the witches. This movement was promoted by many in office, who hoped wealth from the persecution. And so, from court to court throughout the towns and villages of all the diocese, scurried special accusers, inquisitors, notaries, jurors, judges, constables, dragging to trial and torture human beings of both sexes and burning them in great numbers. Scarcely any of those who were accused escaped punishment. Nor were there spared even the leading men in the city of Trier. For the Judge,[2] with two Burgomasters, several Councilors and Associate Judges, canons of sundry collegiate churches, parish-priests, rural deans, were swept away in this ruin. So far, at length, did the madness of the furious populace and of the courts go in this thirst for blood and booty that there was scarcely anybody who was not smirched by some suspicion of this crime.

Meanwhile notaries, copyists, and innkeepers grew rich. The executioner rode a blooded horse, like a noble of the court, and went clad in gold and silver; his wife vied with noble dames in the richness of her array. The children of those convicted and punished were sent into exile; their goods were confiscated; plowman and vintner failed—

[1] Printed in Hontheim's *Historia Trevirensis diplomatica* (iii, p. 170, note) and in Wyttenbach and Müller's ed. of the *Gesta Trevirorum*; but with more care in Burr, *The Fate of Dietrich Flade*.

[2] Dr. Dietrich Flade, judge of the secular court at Trier and deputy governor of the city, was perhaps the most eminent victim of the witch-persecution in Germany. It is probable that he owed his fate in part or wholly to his attempt to check the persecution. Tortured into confession, he was burned in 1589.

hence came sterility. A direr pestilence or a more ruthless invader could hardly have ravaged the territory of Trier than this inquisition and persecution without bounds: many were the reasons for doubting that all were really guilty. This persecution lasted for several years; and some of those who presided over the administration of justice gloried in the multitude of the stakes, at each of which a human being had been given to the flames.

At last, though the flames were still unsated, the people grew impoverished, rules were made and enforced restricting the fees and costs of examinations and examiners, and suddenly, as when in war funds fail, the zeal of the persecutors died out.

2. THE RECANTATION OF LOOS.

Delrio, Disquisitiones Magicae, lib. v, appendix I. Latin.

It was during this persecution at Trier that Cornelius Loos, a scholar of Dutch birth who held a professorship in the university of that city, dared to protest against both the persecution itself and the superstitions out of which it grew. Failing in his appeals to the authorities, he wrote a book to set forth his views; but the manuscript was seized in the hands of the printer, and Loos himself thrown into prison. Thence he was brought out, in the spring of 1593, and, before the assembled church dignitaries of the place, pronounced a solemn recantation. This recantation has been preserved by the Jesuit Delrio in the great work which in 1599-1600 he published in support of the persecution. Thus Delrio tells the story:

And, finally, as I have made mention of Losæus Callidius, who tried by a thousand arts to make public the book which he had written in defence of the witches (and some fear that even yet some evil demon may bring this about), I have brought for an antidote the Recantation signed by him. Its authentic and so-called original copy is in the possession of a devout and most honorable man, Joannes Baxius, J. U. Lic. (whose energy and zeal against this nefarious heresy God will some day reward), from whom I have received the following transcript, certified by a notary:

I, Cornelius Losæus Callidius, born at the town of Gouda in Holland, but now (on account of a certain treatise *On True and False Witchcraft*,[1] rashly and presumptously written without the knowledge and permission of the superiors of this place, shown by me to others, and then sent to be printed at Cologne) arrested and imprisoned in the Imperial

[1] This book, confiscated by the ecclesiastical authorities, has been partly recovered in our own day.

Monastery of St. Maximin, near Trier, by order of the Most Reverend and Most Illustrious Lord, the Papal Nuncio, Octavius, Bishop of Tricarico: whereas I am informed of a surety that in the aforesaid book and also in certain letters of mine on the same subject sent clandestinely to the clergy and town council of Trier, and to others (for the purpose of hindering the execution of justice against the witches, male and female), are contained many articles which are not only erroneous and scandalous, but also suspected of heresy and smacking of the crime of treason, as being seditious and foolhardy, against the common opinion of theological teachers and the decisions and bulls of the Supreme Pontiffs, and contrary to the practice and to the statutes and laws of the magistrates and judges, not only of this Archdiocese of Trier, but of other provinces and principalities, I do therefore revoke, condemn, reject, and repudiate the said articles, in the order in which they are here subjoined.

1. In the first place, I revoke, condemn, reject, and censure the idea (which both in words and writing I have often and before many persons pertinaciously asserted, and which I wished to be the head and front of this my disputation) that the things which are written about the bodily transportation or translation of witches, male and female, are altogether fanciful and must be reckoned the figments of an empty superstition; [and this I recant] both because it smacks of rank heresy and because this opinion partakes of sedition and hence savors of the crime of treason.

2. For (and this in the second place I recant), in the letters which I have clandestinely sent to sundry persons, I have pertinaciously, without solid reasons, alleged against the magistracy that the [aerial] flight of witches is false and imaginary; asserting, moreover, that the wretched creatures are compelled by the severity of the torture to confess things which they have never done, and that by cruel butchery innocent blood is shed and by a new alchemy gold and silver coined from human blood.

3. By these and by other things of the same sort, partly in private conversations among the people, partly in sundry letters addressed to both the magistracies,[1] I have accused of tyranny to their subjects the superiors and the judges.

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[1] i. e. both lay and spiritual.

4. And consequently, inasmuch as the Most Reverend and Most Illustrious Archbishop and Prince-Elector of Trier not only permits witches, male and female, to be subjected in his diocese to deserved punishment, but has also ordained laws regulating the method and costs of judicial procedure against witches, I have with heedless temerity tacitly insinuated the charge of tyranny against the aforesaid Elector of Trier.

5. I revoke and condemn, moreover, the following conclusions of mine, to wit: that there are no witches who renounce God, pay worship to the Devil, bring storms by the Devil's aid, and do other like things, but that all these things are dreams.

6. Also, that magic (*magia*) ought not to be called witchcraft (*maleficium*), nor magicians (*magi*) witches (*malefici*), and that the passage of Holy Scripture, "Thou shalt not suffer a witch to live" (*Maleficos non patieris vivere*),[1] is to be understood of those who by a natural use of natural poisons inflict death.

7. That no compact does or can exist between the Devil and a human being.

8. That devils do not assume bodies.

9. That the life of Hilarion written by St. Jerome is not authentic.

10. That there is no sexual intercourse between the Devil and human beings.

11. That neither devils nor witches can raise tempests, rain-storms, hail-storms, and the like, and that the things said about these are mere dreams.

12. That spirit and form apart from matter cannot be seen by man.

13. That it is rash to assert that whatever devils can do, witches also can do through their aid.

14. That the opinion that a superior demon can cast out an inferior is erroneous and derogatory to Christ.[2]

15. That the Popes in their bulls do not say that magicians and witches perpetrate such things (as are mentioned above).

16. That the Roman Pontiffs granted the power to proceed against witches, lest if they should refuse they might be unjustly accused of magic, just as some of their predecessors had been justly accused of it.

These assertions, all and singular, with many calumnies, false-

[1] Exodus, xxii, 18.

[2] A marginal note here cites Luke, xi.

'hoods, and sycophancies, toward the magistracy, both secular and ecclesiastical, spitefully, immodestly, and falsely poured forth, without cause, with which my writings on magic teem, I hereby expressly and deliberately condemn, revoke, and reject, earnestly beseeching the pardon of God and of my superiors for what I have done, and solemnly promising that in future I will neither in word nor in writing, by myself or through others, in whatsoever place it may befall me to be, teach, promulgate, defend, or assert any of these things. If I shall do to the contrary, I subject myself thenceforward, as if it were now, to all the penalties of the law against relapsed heretics, recusants, seditious offenders, traitors, backbiters, sycophants, who have been openly convicted, and also to those ordained against perjurers. I submit myself also to arbitrary correction, whether by the Archbishop of Trier or by any other magistrates under whom it may befall me to dwell, and who may be certified of my relapse and of my broken faith, that they may punish me according to my deserts, in honor and reputation, property and person.

In testimony of all which I have, with my own hand, signed this my recantation of the aforesaid articles, in presence of notary and witnesses.

(*Signed*)

CORNELIUS LOOSÆUS CALLIDIUS.

(*and attested*)

Done in the Imperial Monastery of St. Maximin, outside the walls of Trier, in the abbot's chamber, in presence of the Reverend, Venerable, and Eminent Sirs, Peter Binsfeld,[1] Bishop of Azotus, vicar-general in matters spiritual of the Most Reverend Archbishop of Trier, our most clement lord, and Reinerus, abbot of the said monastery, Bartholomæus van Bodeghem, of Delft, J. U. L., Official of the Ecclesiastical Court of Trier, Georgius von Helffenstein, Doctor of Theology, Dean of the Collegiate Church of St. Simeon in the city of Trier, and Joannes Colmann, J. U. D., Canon of the said church and Seal-Bearer of the Court of Trier,[2] etc., in the year of Our Lord 1592 *more Trev.*,[3] on Mon-

[1] Binsfeld, suffragan bishop and real head of ecclesiastical affairs in the diocese, was doubtless the prime mover in the punishment of Loos. He had himself written a book, *De confessionibus maleficorum et sagarum* (Trier, 1589), to prove that the confessions of witches were worthy of all faith.

[2] i. e., the ecclesiastical court, of which Bodeghem was the head (the Official).

[3] 1593, according to our calendar; according to the *mos Trevirense* the year began on March 25th.

day, March 15th, in the presence of me the notary undersigned and of the worthy Nicolaus Dolent and Daniel Maier, secretary and copyist respectively of the Reverend Lord Abbot, as witnesses specially called and summoned to this end.

(*Signed*)

ADAMUS HEC Tectonius, Notary.

(*And below*)

Compared with its original and found to agree, by me the undersigned Secretary of the town of Antwerp,

G. KIEFFEL.

Here you have the Recantation in full. And yet afterwards again at Brussels, while serving as curate in the church of Notre Dame de la Chapelle, he was accused of relapse, and was released only after a long imprisonment, and being again brought into suspicion (whence you may understand the pertinacity of his madness) escaped a third indictment through a premature death; but (much the pity!) left behind not a few partisans, men so imperfectly versed in medicine and sound theology as to share this stupid error. Would that they might be wise, and seriously realize at last how rash and noxious it is to prefer the ravings of a single heretic, Weyer,[1] to the judgment of the Church!

IV. THE WITCH-PERSECUTION AT BONN.

An undated letter[2] from the pastor (Duren) of the village of Alfter, near Bonn, to Count Werner of Salm thus describes the persecution in that city:

Those burned are mostly male witches of the sort described. There must be half the city implicated: for already professors, law-students, pastors, canons, vicars, and monks have here been arrested and burned. His Princely Grace has seventy wards[3] who are to become pastors, one of whom, eminent as a musician, was yesterday arrested; two others were sought for, but have fled. The Chancellor and his wife and the

[1] Johann Weyer was a German physician, who in 1563 put forth a book attacking the witch-persecution. Loos had been influenced by this and was looked on as Weyer's disciple.

[2] At least, the date of the letter is not given by W. v. Waldbrühl, who prints from it this extract in his *Naturforschung and Hexenglaube*, (Berlin, 1867). He says only that it had shortly before been found in the Salm archives. It belongs, doubtless, to the early seventeenth century. Bonn, not then a university town, was the official residence of the Prince-Archbishops of Cologne.

[3] Boys to be trained for priests in his seminary.

Private Secretary's wife are already executed. On the eve of Our Lady's Day there was executed here a maiden of nineteen who bore the name of being the fairest and the most blameless of all the city, and who from her childhood had been brought up by the Bishop himself. A canon of the cathedral, named Rotenhahn, I saw beheaded and burned. Children of three or four years have devils for their paramours. Students and boys of noble birth, of nine, ten, eleven, twelve, thirteen, fourteen years, have here been burned. In fine, things are in such a pitiful state that one does not know with what people one may talk and associate.

V. THE WITCH-PERSECUTION IN SCOTLAND.

From the contemporary pamphlet *Newes from Scotland*, 1591, as reprinted in Pitcairn's *Criminal Trials in Scotland*, vol. 1, pt. 2, pp. 215-223. English.

Within the towne of Trenent, in the kingdome of Scotland, there dwelleth one David Seaton, who, being deputie bailiffe in the said towne, had a maid called Geillis Duncane, who used secretlie to absent and lie forth of hir maister's house every other night: This Geillis Duncane tooke in hand to helpe all such as were troubled or grieved with anie kinde of sicknes or infirmitie, and in short space did perfourme many matters most miraculous; which things, for asmuche as she began to do them upon a sodaine, having never done the like before, made her maister and others to be in great admiration, and wondered thereat: by means whereof, the saide Davide Seaton had his maide in great suspition that shee did not those things by naturall and lawful waies, but rather supposed it to bee done by some extraordinarie and unlawfull meanes. Whereupon, her maister began to grow verie inquisitive, and examined hir which way and by what means shee was able to performe matters of so great importance; whereat shee gave him no aunswere: nevertheless, her maister, to the intent that hee might the better trie and finde out the truth of the same, did with the help of others torment her with the torture of the pilliwinkes[1] upon her fingers, which is a grievous torture; and binding or wrinching her head with a cord or roape, which is a most cruell torment also; yet would she not confess anie thing; whereuppon, they suspecting that she had beene marked by the Devill (as commonly witches are), made diligent search about her,

[1] An instrument of torture similar to the thumbscrews later in use.

and found the enemies mark to be in her fore crag, or fore part of her throate ; which being found, she confessed that al her doings was done by the wicked allurements and entisements of the Devil, and that she did them by witchcraft. After this her confession, she was committed to prison, where shee continued a season, where immediately shee accused these persons following to bee notorious witches, and caused them forthwith to be apprehended, one after another, viz. Agnes Sampson the eldest witche of them all, dwelling in Haddington ; Agnes Tompson of Edenbrough[1]; Doctor Fian alias John Cuningham, master of the schoole at Saltpans in Lowthian, of whose life and strange acts you shal heare more largely in the end of this discourse. These were by the saide Geillis Duncane accused, as also George Motts wife, dwelling in Lowthian ; Robert Grierson, skipper ; and Jannet Blandilands ; with the potter's wife of Seaton : the smith at the Brigge Hallis, with innumerable others in those parts, and dwelling in those bounds aforesaid ; of whom some are alreadie executed, the rest remaine in prison to receive the doome of judgment at the Kinges Majesties will and pleasure.

The saide Geillis Duncane also caused Ewphame Mecalrean to bee apprehended, who conspired and performed the death of her godfather, and who used her art upon a gentleman, being one of the Lordes and Justices of the Session, for bearing good will to her daughter. Shee also caused to be apprehended one Barbara Naper, for bewitching to death Archibalde lait Earle of Angus, who languished to death by witchcraft, and yet the same was not suspected ; but that hee died of so straunge a disease as the Phisition knewe not how to cure or remedie the same. But of all other the said witches, these two last before recited, were reputed for as civill honest women as anie that dwelled within the cittie of Edenbrough, before they were apprehended. Many other besides were taken dwelling in Lieth,[2] who are detayned in prison untill his Majesties further will and pleasure be knowne . . . .[3]

As touching the aforesaide Doctor Fian alias John Cunningham, the examination of his actes since his apprehension, declareth the great subteltie of the Divell, and therefore maketh thinges to appeare the more miraculous ; for beeing apprehended by the accusation of the saide Geil-

[1] Edinburgh.

[2] Leith.

[3] Then follows an account of the torture and confession of Agnes Sampson.

lis Duncane aforesaide, who confessed he was their Regester, and that there was not one man suffered to come to the Divels readinges but onely hee: the saide Doctor was taken and imprisoned, and used with the accustomed paine provided for those offences, inflicted upon the rest, as is aforesaide. First, By thrawing of his head with a rope, whereat he would confesse nothing. Secondly, Hee was perswaded by faire meanes to confesse his follies, but that would prevaile as little. Lastly, Hee was put to the most severe and cruell paine in the worlde, called the bootes;[1] who after he had received three strokes, being inquired if he would confesse his damnable actes and wicked life, his toong would not serve him to speake; in respect whereof the rest of the witches willed to searche his toong, under which was founde two pinnes, thrust up into the heade; whereupon the witches did say, Now is the charme stinted; and shrewed, that those charmed pinnes were the cause he could not confesse any thing: Then was he immediately released of the bootes, brought before the King,[2] his confession was taken, and his own hand willingly set thereunto. . . .[3]

Thus, all the daie, this Doctor Fian continued very solitarie. and seemed to have a care of his owne soule, and would call uppon God, shewing himselfe penitent for his wicked life; nevertheless, the same night, hee found such meanes that he stole the key of the prison doore and chamber in which he was, which in the night hee opened and fled

[1] "The boots, or *bootikins*," says Pitcairn in his note on this passage, "were chiefly made use of in extreme cases, such as High Treason, Witchcraft, etc. This horrid instrument extended from the ankles to the knee, and at each stroke of a large hammer (which forced the wedges closer), the question was repeated. In many instances, the bones and flesh of the leg were crushed and lacerated in a shocking manner before confession was made."

[2] The personal interest taken in these trials by King James is explained by the fact that one of the crimes which the witches were made to confess was that they had gone to sea in sieves and there raised the contrary wind which distressed His Majesty's ship on his return from Denmark, whither he had gone to fetch his bride. It was, perhaps, the experience thus gained in the persecution which impelled King James later to compose a book on witchcraft (*Daemonologie*, Edinburgh, 1597); and which led him, on his ascent of the English throne in 1603, not only to bring out at London a fresh edition of this treatise, but to inspire a new and sterner English statute against the witches. Under this statute of James was carried on the later witch-persecution in England; and it formed a basis for that in the colonies.

[3] Then follows a summary of his confession and an account of his commission to a solitary cell. What is next printed above is alleged to have happened on the morrow.

awaie to the Saltpans, where hee was alwayes resident, and first apprehended. Of whose sodaine departure, when the Kings Majestie had intelligence, hee presently commanded diligent inquirie to bee made for his apprehension ; and for the better effecting thereof, hee sent publike proclamations into all partes of his lande to the same effect. By meanes of whose hot and harde pursuite he was agayn taken, and brought to prison ; and then, being called before the Kings Highnes, hee was re-examined, as well touching his departure, as also touching all that had before happened. But this Doctor, notwithstanding that his owne confession appeareth, remaining in recorde under his owne hande writting, and the same thereunto fixed in the presence of the Kings Majestie and sundrie of his Councell, yet did he utterly denie the same.

Whereupon the Kings Majestie, perceiving his stubborne willfulnesse, conceived and imagined, that in the time of his absence, hee had entered into newe conference and league with the Devill his maister ; and that hee had beene again newly marked, for the which he was narrowly searched ; but it coulde not in anie waie be founde ; yet for more tryall of him, to make him confesse, hee was commaunded to have a most strange torment, which was done in this manner following. His nailes upon all his fingers were riven and pulled off with an instrument called in Scottish a Turkas, which in England wee call a payre of pincers, and under every nayle there was thrust in two needels over even up to the heads. At all which torments notwithstanding, the Doctor never shronke anie whit ; neither woulde he then confesse it the sooner, for all the tortures inflicted upon him. Then was hee, with all convenient speede, by commandement, convaied againe to the torment of the bootes, wherein hee continued a long time, and did abide so many blowes in them, that his legges were crusht and beaten together as small as might be ; and the bones and flesh so brused, that the bloud and marrow spouted forth in great abundance ; whereby, they were made unserviceable for ever. And notwithstanding all these grievous paines and cruell torments, he would not confesse anie things ; so deeply had the Devill entered into his heart, that hee utterly denied all that which he before avouched ; and would saie nothing thereunto, but this, that what hee had done and sayde before, was onely done and sayde, for fear of paynes which he had endured.

Upon great consideration, therefore, taken by the Kings Majestie and his Councell, as well for the due execution of justice uppon such detestable malefactors, as also for example sake, to remayne a terrour .

to all others heerafter, that shall attempt to deale in the lyke wicked and ungodlye actions as witchcraft, sorcerie, conjuration, and such lyke ; the saide Doctor Fian was soon after arraigned, condemned and adjudged by the law to die, and then to be burned according to the lawe of that lande provided in that behalfe. Whereupon hee was put into a carte, and beeing first strangled, hee was immediately put into a great fire, being readie provided for that purpose, and there burned in the Castle Hill of Edenbrough, on a Saterdaie, in the ende of Januarie last past, 1591.

VI. THE WITCH-PERSECUTION AT BAMBERG.

From mss. in the Bamberg library, as printed by Leitschuh, *Beiträge zur Geschichte des Hexenwesens in Franken* (Bamberg, 1883).

In 1628 there was tried for witchcraft at the episcopal city of Bamberg, in Germany, the Burgomaster Johannes Junius. The minutes of the trial, which is in all respects a fair specimen of German witch-trials, are still to be seen at Bamberg. Translated from German into English, the greater part runs as follows :

. . . On Wednesday, June 28, 1628, was examined without torture Johannes Junius, Burgomaster at Bamberg, on the charge of witchcraft : how and in what fashion he had fallen into that vice. Is fifty-five years old, and was born at Niederwaysich in the Wetterau. Says he is wholly innocent, knows nothing of the crime, has never in his life renounced God ; says that he is wronged before God and the world, would like to hear of a single human being who has seen him at such gatherings [as the witch-sabbaths].

Confrontation of Dr. Georg Adam Haan. Tells him to his face he will stake his life on it [*er wolle darauf leben und sterben*], that he saw him, Junius, a year and a half ago at a witch-gathering in the electoral council-room, where they ate and drank. Accused denies the same wholly.

Confronted with Hopffens Elsse. Tells him likewise that he was on Haupts-moor at a witch-dance; but first the holy wafer was desecrated. Junius denies. Hereupon he was told that his accomplices had confessed against him and was given time for thought.

On Friday, June 30, 1628, the aforesaid Junius was again without torture exhorted to confess, but again confessed nothing, whereupon, . . . since he would confess nothing, he was put to the torture, and first the

Thumb-screws were applied. Says he has never denied God his Saviour nor suffered himself to be otherwise baptized;[1] will again stake his life on it; feels no pain in the thumb-screws.

Leg-screws. Will confess absolutely nothing · knows nothing about it. He has never renounced God; will never do such a thing; has never been guilty of this vice; feels likewise no pain.

Is stripped and examined; on his right side is found a bluish mark, like a clover leaf, is thrice pricked therein, but feels no pain and no blood flows out.

Strappado. He has never renounced God; God will not forsake him; if he were such a wretch he would not let himself be so tortured; God must show some token of his innocence. He knows nothing about witchcraft. . . .

On July 5, the above named Junius is without torture, but with urgent persuasions, exhorted to confess, and at last begins and confesses:

When in the year 1624 his law-suit at Rothweil cost him some six hundred florins, he had gone out, in the month of August, into his orchard at Friedrichsbronnen; and, as he sat there in thought, there had come to him a woman like a grass-maid, who had asked him why he sat there so sorrowful; he had answered that he was not despondent, but she had led him by seductive speeches to yield him to her will. . . . And thereafter this wench had changed into the form of a goat, which bleated and said, "Now you see with whom you have had to do. You must be mine or I will forthwith break your neck." Thereupon he had been frightened, and trembled all over for fear. Than the transformed spirit had seized him by the throat and demanded that he should renounce God Almighty, whereupon Junius said, "God forbid," and thereupon the spirit vanquished through the power of these words. Yet it came straightway back, brought more people with it, and persistently demanded of him that he renounce God in Heaven and all the heavenly host, by which terrible threatening he was obliged to speak this formula: "I renounce God in Heaven and his host, and will henceforward recognize the Devil as my God."

After the renunciation he was so far persuaded by those present and by the evil spirit that he suffered himself to be otherwise baptized[1]

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[1] "Otherwise baptized" is the usual phrase for the rite, a parody of baptism, by which the Devil was believed to initiate his followers.

in the evil spirit's name. The Morhauptin had given him a ducat as dower-gold, which afterward became only a potsherd.

He was then named Krix. His paramour he had to call Vixen. Those present had congratulated him in Beelzebub's name and said that they were now all alike. At this baptism of his there were among others the aforesaid Christiana Morhauptin, the young Geiserlin, Paul Glaser, [and others]. After this they had dispersed.

At this time his paramour had promised to provide him with money, and from time to time to take him to other witch-gatherings. . . . Whenever he wished to ride forth [to the witch-sabbath] a black dog had come before his bed, which said to him that he must go with him, whereupon he had seated himself upon the dog and the dog had raised himself in the Devil's name and so had fared forth.

About two years ago he was taken to the electoral-council-room, at the left hand as one goes in. Above at a table were seated the Chancellor, the Burgomaster Neydekher, Dr. George Haan, [and many others]. Since his eyes were not good, he could not recognize more persons.

More time for consideration was now given him. On July 7, the aforesaid Junius was again examined, to know what further had occurred to him to confess. He confesses that about two months ago, on the day after an execution was held, he was at a witch-dance at the Black Cross, where Beelzebub had shown himself to them all and said expressly to their faces that they must all be burned together on this spot, and had ridiculed and taunted those present. . . .

Of crimes. His paramour had immediately after his seduction demanded that he should make away with his younger son Hans Georg, and had given him for this purpose a gray powder ; this, however, being too hard for him, he had made away with his horse, a brown, instead.

His paramour had also often spurred him on to kill his daughter, . . . and because he would not do this he had been maltreated with blows by the evil spirit.

Once at the suggestion of his paramour he had taken the holy wafer out of his mouth and given it to her. . . .

A week before his arrest as he was going to St. Martin's church the Devil met him on the way, in the form of a goat, and told him that he would soon be imprisoned, but that he should not trouble himself—he would soon set him free. Besides this, by his soul's salvation, he

knew nothing further; but what he had spoken was the pure truth; on that he would stake his life. On August 6, 1628, there was read to the aforesaid Junius this his confession, which he then wholly ratified and confirmed, and was willing to stake his life upon it. And afterward he voluntarily confirmed the same before the court.

[So ended the trial of Junius, and he was accordingly burned at the stake. But it so happens that there is also preserved in Bamberg a letter, in quivering hand, secretly written by him to his daughter while in the midst of his trial (July 24, 1628):]

Many hundred thousand good-nights, dearly beloved daughter Veronica. Innocent have I come into prison, innocent have I been tortured, innocent must I die. For whoever comes into the witch prison must become a witch or be tortured until he invents something out of his head and—God pity him—bethinks him of something. I will tell you how it has gone with me. When I was the first time put to the torture, Dr. Braun, Dr. Kötzendörffer, and two strange doctors were there. Then Dr. Braun asks me, "Kinsman, how come you here?" I answer, "Through falsehood, through misfortune." "Hear, you," he says, "you are a witch; will you confess it voluntarily? If not, we'll bring in witnesses and the executioner for you." I said "I am no witch, I have a pure conscience in the matter; if there are a thousand witnesses, I am not anxious, but I'll gladly hear the witnesses." Now the chancellor's son was set before me . . . and afterward Hoppfen Elss. She had seen me dance on Haupts-moor. . . . I answered: "I have never renounced God, and will never do it—God graciously keep me from it. I'll rather bear whatever I must." And then came also—God in highest Heaven have mercy—the executioner, and put the thumb-screws on me, both hands bound together, so that the blood ran out at the nails and everywhere, so that for four weeks I could not use my hands, as you can see from the writing. . . . Thereafter they first stripped me, bound my hands behind me, and drew me up in the torture.[1] Then I thought heaven and earth were at an end; eight times did they draw me up and let me fall again, so that I suffered terrible agony. . . .

[1] This torture of the strappado, which was that in most common use by the courts, consisted of a rope, attached to the hands of the prisoner (bound behind his back) and carried over a pulley at the ceiling. By this he was drawn up and left hanging. To increase the pain, weights were attached to his feet or he was suddenly jerked up and let drop.

And this happened on Friday, June 30, and with God's help I had to bear the torture. . . . When at last the executioner led me back into the prison, he said to me: "Sir, I beg you, for God's sake confess something, whether it be true or not. Invent something, for you cannot endure the torture which you will be put to; and, even if you bear it all, yet you will not escape, not even if you were an earl, but one torture will follow after another until you say you are a witch. Not before that," he said, "will they let you go, as you may see by all their trials, for one is just like another." . . .

And so I begged, since I was in wretched plight, to be given one day for thought and a priest. The priest was refused me, but the time for thought was given. Now, my dear child, see in what hazard I stood and still stand. I must say that I am a witch, though I am not, —must now renounce God, though I have never done it before. Day and night I was deeply troubled, but at last there came to me a new idea. I would not be anxious, but, since I had been given no priest with whom I could take counsel, I would myself think of something and say it. It were surely better that I just say it with mouth and words, even though I had not really done it; and afterwards I would confess it to the priest, and let those answer for it who compel me to do it. . . . And so I made my confession, as follows; but it was all a lie.

Now follows, dear child, what I confessed in order to escape the great anguish and bitter torture, which it was impossible for me longer to bear.

[Here follows his confession, substantially as it is given in the minutes of his trial. But he adds:]

Then I had to tell what people I had seen [at the witch-sabbath]. I said that I had not recognized them. "You old rascal, I must set the executioner at you. Say—was not the Chancellor there?" So I said yes. "Who besides?" I had not recognized anybody. So he said: "Take one street after another; begin at the market, go out on one street and back on the next." I had to name several persons there. Then came the long street.[1] I knew nobody. Had to name eight persons there. Then the Zinkenwert—one person more. Then over the upper bridge to the Georgthor, on both sides. Knew nobody again.

[1] "*Die lange gasse*"—the street is still known by that name.

Did I know nobody in the castle—whoever it might be, I should speak without fear. And thus continuously they asked me on all the streets, though I could not and would not say more. So they gave me to the executioner, told him to strip me, shave me all over, and put me to the torture. "The rascal knows one on the market-place, is with him daily, and yet won't name him." By that they meant Dietmeyer: so I had to name him too.

Then I had to tell what crimes I had committed. I said nothing. . . "Draw the rascal up!" So I said that I was to kill my children, but I had killed a horse instead. It did not help. I had also taken a sacred wafer, and had desecrated it. When I had said this, they left me in peace.

Now, dear child, here you have all my confession, for which I must die. And they are sheer lies and made-up things, so help me God. For all this I was forced to say through fear of the torture which was threatened beyond what I had already endured. For they never leave off with the torture till one confesses something; be he never so good, he must be a witch. Nobody escapes, though he were an earl. . . .

Dear child, keep this letter secret so that people do not find it, else I shall be tortured most piteously and the jailers will be beheaded. So strictly is it forbidden. . . . Dear child, pay this man a dollar. . . . I have taken several days to write this: my hands are both lame. I am in a sad plight. . . .

Good night, for your father Johannes Junius will never see you more. July 24, 1628.

[And on the margin of the letter he adds:]

Dear child, six have confessed against me at once: the Chancellor, his son, Neudecker, Zaner, Hoffmaisters Ursel, and Hoppfen Els—all false, through compulsion, as they have all told me, and begged my forgiveness in God's name before they were executed. . . . They know nothing but good of me. They were forced to say it, just as I myself was. . . .

VII. THE WITCH-PERSECUTION AT WÜRZBURG.

From *Codex german. 1254* of the Munich library, as printed by Leitschuh, *Beiträge zur Geschichte des Hexenwesens in Franken.*

In August, 1629, the Chancellor of the Prince-Bishop of Würzburg thus wrote (in German) to a friend:

As to the affair of the witches, which Your Grace thinks brought to an end before this, it has started up afresh, and no words can do justice to it. Ah, the woe and the misery of it—there are still four hundred in the city, high and low, of every rank and sex, nay, even clerics, so strongly accused that they may be arrested at any hour. It is true that, of the people of my Gracious Prince here, some out of all offices and faculties must be executed: clerics, electoral councilors and doctors, city officials, court assessors, several of whom Your Grace knows. There are law students to be arrested. The Prince-Bishop has over forty students who are soon to be pastors; among them thirteen or fourteen are said to be witches. A few days ago a Dean was arrested; two others who were summoned have fled. The notary of our Church consistory, a very learned man, was yesterday arrested and put to the torture. In a word, a third part of the city is surely involved. The richest, most attractive, most prominent, of the clergy are already executed. A week ago a maiden of nineteen was executed, of whom it is everywhere said that she was the fairest in the whole city, and was held by everybody a girl of singular modesty and purity. She will be followed by seven or eight others of the best and most attractive persons. . . . And thus many are put to death for renouncing God and being at the witch-dances, against whom nobody has ever else spoken a word.

To conclude this wretched matter, there are children of three and four years, to the number of three hundred, who are said to have had intercourse with the Devil. I have seen put to death children of seven, promising students of ten, twelve, fourteen, and fifteen. Of the nobles —but I cannot and must not write more of this misery. There are persons of yet higher rank, whom you know, and would marvel to hear of, nay, would scarcely believe it; let justice be done . . .

P. S.—Though there are many wonderful and terrible things happening, it is beyond doubt that, at a place called the Fraw-Rengberg, the Devil in person, with eight thousand of his followers, held an assembly and celebrated mass before them all, administering to his audience (that is, the witches) turnip-rinds and parings in place of the Holy Eucharist. There took place not only foul but most horrible and hideous blasphemies, whereof I shudder to write. It is also true that they all vowed not to be enrolled in the Book of Life, but all agreed to be inscribed by a notary who is well known to me and my colleagues. We hope, too, that the book in which they are enrolled will yet be found, and there is no little search being made for it.

VIII. THE METHODS OF THE WITCH-PERSECUTIONS.

It was at this very time, and probably at Würzburg during the persecution just above described, that the noble Jesuit poet, Friedrich Spee, was made the confessor of those sentenced to death for witchcraft and was thus inspired to write (though anonymously) the book whose eloquent protest gave the persecution throughout Europe its first effective check. Not till long afterward did the philosopher Leibnitz reveal its authorship, on the authority of his friend Johann Philipp von Schönborn, Archbishop of Mainz, who in his youth at Würzburg had known and loved Father Spee and had learned from him the whole story in answer to a question as to the young father's whitened hair. The last of the fifty-one doubts into which Spee's *Cautio criminalis* (Rinteln, 1631) is divided runs thus (pp. 378—392):

What, now, is the outline and method of the trials against witches to-day in general use?—a thing worthy Germany's consideration.

I answer: . . .

1. Incredible among us Germans and especially (I blush to say it) among Catholics are the popular superstition, envy, calumnies, backbitings, insinuations, and the like, which, being neither punished by the magistrates nor refuted by the pulpit, first stir up suspicion of witchcraft. All the divine judgments which God has threatened in Holy Writ are now ascribed to witches. No longer do God or nature do aught, but witches everything.

2. Hence it comes that all at once everybody is clamoring that the magistrates proceed against the witches—those witches whom only their own clamor has made seem so many.

3. Princes, therefore, bid their judges and counselors to begin proceedings against the witches.

4. These at first do not know where to begin, since they have no testimony or proofs, and since their conscience clearly tells them that they ought not to proceed in this rashly.

5. Meanwhile they are a second time and a third admonished to proceed. The multitude clamors that there is something suspicious in this delay; and the same suspicion is, by one busybody or another, instilled into the ear of the princes.

6. To offend these, however, and not to defer at once to their wishes, is in Germany a serious matter: most men, and even clergymen, approve with zeal whatever is but pleasing to the princes, not heeding by whom these (however good by nature) are often instigated.

7. At last, therefore, the judges yield to their wishes, and in some way contrive at length a starting-point for the trials.

8. Or, if they still hold out and dread to touch the ticklish matter, there is sent to them a commissioner [*Inquisitor*] specially deputed for this. And, even if he brings to his task something of inexperience or of haste, as is wont to happen in things human, this takes on in this field another color and name, and is counted only zeal for justice. This zeal for justice is no whit diminished by the prospect of gain, especially in the case of a commissioner of slender means and avaricious, with a large family, when there is granted him as salary so many dollars per head for each witch burned, besides the fees and assessments which he is allowed to extort at will from the peasants.

9. If now some utterance of a demoniac[1] or some malign and idle rumor then current (for proof of the scandal is never asked) points especially to some poor and helpless Gaia,[2] she is the first to suffer.

10. And yet, lest it appear that she is indicted on the basis of rumor alone, without other proofs, as the phrase goes, lo a certain presumption is at once obtained against her by posing the following dilemma: Either Gaia has led a bad and improper life, or she has led a good proper one. If a bad one, then, say they, the proof is cogent against her; for from malice to malice the presumption is strong. If, however, she has led a good one, this also is none the less a proof; for thus, they say, are witches wont to cloak themselves and try to seem especially proper.

11. Therefore it is ordered that Gaia be haled away to prison. And lo now a new proof is gained against her by this other dilemma: Either she then shows fear or she does not show it. If she does show it (hearing forsooth of the grievous tortures wont to be used in this matter), this is of itself a proof; for conscience, they say, accuses her. If she does not show it (trusting forsooth in her innocence), this too is a proof; for it is most characteristic of witches, they say, to pretend themselves peculiarly innocent and wear a bold front.

12. Lest, however, further proofs against her should be lacking, the Commissioner has his own creatures, often depraved and notorious, who question into all her past life. This, of course, cannot be done without coming upon some saying or doing of hers which evil-minded men can easily twist or distort into ground for suspicion of witchcraft.

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[1] i. e., of course, an insane person.

[2] i. e., woman. Gaia was the name used for a female culprit by the Roman law—like the John Doe or Richard Roe of our own legal parlance.

13. If, too, there are any who have borne her ill will, these, having now a fine opportunity to do her harm, bring against her such charges as it may please them to devise; and on every side there is a clamor that the evidence is heavy against her.

14. And so, as soon as possible, she is hurried to the torture, if indeed she be not subjected to it on the very day of her arrest, as often happens.

15. For in these trials there is granted to nobody an advocate or any means of fair defense, for the cry is that the crime is an excepted one,[1] and whoever ventures to defend the prisoner is brought into suspicion of the crime—as are all those who dare to utter a protest in these cases and to urge the judges to caution; for they are forthwith dubbed patrons of the witches. Thus all mouths are closed and all pens blunted, lest they speak or write.

16. In general, however, that it may not seem that no opportunity of defense has been given to Gaia, she is brought out and the proofs are first read before her and examined—if examine it can be called.

17. But, even though she then denies these and satisfactorily makes answer to each, this is neither paid attention to nor even noted down: all the proofs retain their force and value, however perfect her answer to them. She is only ordered back into prison, there to bethink herself more carefully whether she will persist in her obstinacy—for, since she has denied her guilt, she is obstinate.

18. When she has bethought herself, she is next day brought out again, and there is read to her the sentence of torture—just as if she had before answered nothing to the charges, and refuted nothing.

19. Before she is tortured, however, she is led aside by the executioner, and, lest she may by magical means have fortified herself against pain, she is searched, her whole body being shaved, . . . ; although up to this time nothing of the sort was ever found.

* * * * * * * * *

21. Then, when Gaia has thus been searched and shaved, she is tortured that she may confess the truth, that is to say, that she may

[1] *Crimina excepta* were those in which, by reason of their enormity, all restraints upon procedure were suspended. Such were treason, and, by analogy, treason against heaven—heresy, that is, and especially witchcraft. In dealing with the latter an added ground for severity was found in the belief that the Devil might aid supernaturally his allies.

simply declare herself guilty; for whatever else she may say will not be the truth and cannot be.

22. She is, however, tortured with the torture of the first degree, i. e., the less severe. This is to be understood thus: that, although in itself it is exceeding severe, yet, compared with others to follow, it is lighter. Wherefore, if she confesses, they say and noise it abroad that she has confessed without torture.

23. Now, what prince or other dignitary who hears this can doubt that she is most certainly guilty who thus voluntarily without torture confesses her guilt?

24. Without any scruples, therefore, after this confession she is executed. Yet she would have been executed, nevertheless, even though she had not confessed; for, when once a beginning has been made with the torture, the die is already cast—she cannot escape, she must die.

25. So, whether she confesses or does not confess, the result is the same. If she confesses, the thing is clear, for, as I have said and as is self-evident, she is executed: all recantation is in vain, as I have shown above. If she does not confess, the torture is repeated—twice, thrice, four times: anything one pleases is permissible, for in an excepted crime[1] there is no limit of duration or severity or repetition of the tortures. As to this, think the judges, no sin is possible which can be brought up before the tribunal of conscience.[2]

26. If now Gaia, no matter how many times tortured, has not yet broken silence—if she contorts her features under the pain, if she loses consciousness, or the like, then they cry that she is laughing or has bewitched herself into taciturnity,[3] and hence deserves to be burned alive, as lately has been done to some who though several times tortured would not confess.

27. And then they say—even clergymen and confessors—that she died obstinate and impenitent, that she would not be converted or desert her paramour,[4] but kept rather her faith with him.

28. If, however, it chances that under so many tortures one dies,

[1] See note on page 32.

[2] i. e., which can be inquired into by the priest in the confessional.

[3] *Uti maleficio tacturnitatis*, i. e., by witchcraft makes herself incapable of confession.

[4] i. e., of course, the Devil.

they say that her neck has been broken by the Devil. . . . . .

29. Wherefore justly, forsooth, the corpse is dragged out by the executioner and buried under the gallows.

30. But if, on the other hand, Gaia does not die and some exceptionally scrupulous judge hesitates to torture her further without fresh proofs or to burn her without a confession, she is kept in prison and more harshly fettered, and there lies for perhaps an entire year to rot until she is subdued.

31. For it is never possible to clear herself by withstanding and thus to wash away the aspersion of crime, as is the intention of the laws. It would be a disgrace to her examiners if when once arrested she should thus go free. Guilty must she be, by fair means or foul, whom they have once but thrown into bonds.

32. Meanwhile, both then and earlier, they send to her ignorant and headstrong priests, more importunate than the executioners themselves. It is the business of these to harass in every wise the wretched creature to such a degree that, whether truly or not, she will at last confess herself guilty; unless she does so, they declare, she simply cannot be saved, nor share in the sacraments.

33. The greatest care is taken lest there be admitted to her priests more thoughtful and learned, who have aught of insight or kindliness; as also that nobody visits her prison who might give her counsel or inform the ruling princes. For there is nothing so much dreaded by any of them as that in some way the innocence of any of the accused should be brought to light. . . .

34. In the meantime, while Gaia, as I have said, is still held in prison, and is tormented by those whom it least behooves, there are not wanting to her industrious judges clever devices by which they not only find new proofs against Gaia, but by which moreover they so convict her to her face (an 't please the gods!) that by the advice of some university faculty[1] she is then at last pronounced to deserve burning alive.

. . .

35. Some, however, to leave no stone unturned, order Gaia to be exorcised and transferred to a new place, and then to be tortured again, in the hope that by this exorcism and change of place the bewitchment

[1] It was sometimes the juristic, sometimes the theologic, faculty of a university which was called on for such advice, the crime of witchcraft being subject to both secular and ecclesiastical jurisdiction.

of taciturnity may perhaps be broken. But, if not even this succeeds, then at last they commit her alive to the flames. Now, in Heaven's name, I would like to know, since both she who confesses and she who does not perish alike, what way of escape is there for any, however innocent? O unhappy Gaia, why hast thou rashly hoped? why hast thou not, at first entering prison, declared thyself guilty? why, O foolish woman and mad, wilt thou die so many times when thou mightst die but once? Follow my counsel, and before all pain declare thyself guilty and die. Thou wilt not escape; for this were a disgrace to the zeal of Germany.

36. If, now, any under stress of pain has once falsely declared herself guilty, her wretched plight beggars description. For not only is there in general no door for her escape, but she is also compelled to accuse others, of whom she knows no ill, and whose names are not seldom suggested to her by her examiners or by the executioner, or of whom she has heard as suspected or accused or already once arrested and released. These in their turn are forced to accuse others, and these still others, and so it goes on: who can help seeing that it must go on without end?

37. Wherefore the judges themselves are obliged at last either to break off the trials and so condemn their own work or else to burn their own folk, aye themselves and everybody: for on all soon or late false accusations fall, and, if only followed by the torture, all are proved guilty.

38. And so at last those are brought into question who at the outset most loudly clamored for the constant feeding of the flames; for they rashly failed to foresee that their turn, too, must inevitably come—and by a just verdict of Heaven, since with their pestilent tongues they created us so many witches and sent so many innocent to the flames,

39. But now gradually many of the wiser and more learned begin to take notice of it, and, as if aroused from deep sleep, to open their eyes and slowly and cautiously to bestir themselves.

. . . . . .

46. From all which there follows this corollary, worthy to be noted in red ink: that, if only the trials be steadily pushed on with, there is nobody in our day, of whatsoever sex, fortune, rank, or dignity, who is safe, if he have but an enemy and slanderer to bring him into suspicion of witchcraft. . . .

IX. SELECT BIBLIOGRAPHY.

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TRANSLATIONS AND REPRINTS

FROM THE

ORIGINAL SOURCES OF EUROPEAN HISTORY.

VOL. III. ENGLISH MANORIAL DOCUMENTS. NO. 5.

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INTRODUCTION.

THE manor was the most fundamental institution of mediaeval society. In the use of the term as a territorial expression, equivalent to *villa*, vill, or township, a manor was a stretch of country occupied by a rural population, grouped in a single village, or perhaps in several hamlets, surrounded by agricultural lands. Part of the land of the manor, known as the demesne, was cultivated by the lord of the manor through a bailiff or other officers; the remainder was used by tenants, free and serf, who cultivated their scattered holdings and, in the form of compulsory services, performed most of the labor on the demesne lands. The manor, in this sense, was the agricultural unit of the country, and had its own internal organization based upon the form of distribution of the land, the method of its cultivation, and the reciprocal relations of the demesne and the rest of the land. The greater part of England was divided into such manors, either contiguous or separated by unused stretches of moor, fen, or forest.

Some slight indications of this organization are discoverable from Anglo-Saxon documents, from the entries of Domesday Book, and certain other early documents. But the fullest information is to be found in the surveys or *extents* of the 13th and

later centuries. These were drawn up from time to time for the information of the lord of the manor by a steward or other representative, who obtained his information from a group of the inhabitants of the manor who were put upon their oath for that purpose. Such a survey, inquisition, or extent usually gives a description of the kind, amount, and value of the demesne lands, a list of the inhabitants of the manor, with the amounts of land which they hold, the payments they make and the services they are bound to perform, with some information in regard to the peculiar local customs. A less formal and complete description of a manor is often spoken of as a *rental* or *custumal.*

For the actual processes of agriculture, in the case of the small farming tenants, we have not much direct information; but in the case of the demesne farm, full information as to both cultivation and administration is given not only in certain contemporary treatises, but in the bailiffs' accounts or *compotus* rolls. These, of which large numbers exist, but of which only a few have been published and none translated, give detailed reports as to income and expenditure upon the manor farm. As this demesne farm was frequently of several hundred acres, besides pasture and woods, careful lords of manors, especially ecclesiastical corporations, insisted on minute reports of all details from the steward, bailiff, reeve, or other official in charge of each of their manors.

But the manor was not only a territorial and agricultural organization, it was also a political or legal body, a unit of jurisdiction. The same lord of the manor who held the demesne lands and received rents and agricultural services from the tenants, usually possessed also rights of jurisdiction over them. The court leet, court baron, customary court, and view of frank-pledge all habitually, if not necessarily, had the single manor as their sphere of action. The lord also had the power, usually, to impose tallages or aids upon his tenants, at least on those who were in a servile position. The inhabitants were therefore bound together into a single social group by this quasi-political subjection to the lord of the manor, no less than by the nature of their associative agriculture. It is this conception and existence of the manor as a separately organized group of people that gives rise to the expression "the custom of the manor," which occurs everywhere in documents connected in any way with local institutions, as it dominated everywhere among these institutions. Statements of this custom of the manor, records of the daily life, and indications of the legal relations of the inhabitants of the country districts exist in remarkable fullness and detail in the rolls of the *manor courts.* These courts met at frequent intervals under the steward or other representative of the lord of the manor, and attendance was a general requirement from both free and servile tenants. Soon after the middle of the 13th century the proceedings at these meetings of the inhabitants of the manor began to be recorded, and for thousands, probably, of the petty rural communities such rolls exist or have existed, rivalling the records of the great royal courts in fullness, and frequently in interest. Usually a number of different manors were in the possession of one person or corporation—a nobleman, a monastery, a college of the University. The steward representing this lord would pass from one manor of the group to another, holding a court at each and having the proceedings recorded successively on one sheet of parchment or a series of sheets sewed together to form a roll. Or all the records of one manor would be preserved on one roll, all of those of another on

a second; in either case the rolls remaining in the custody of the lord. The manor courts were occupied with a great variety of matters; land transfers, enforcement of the rights of the lord and of the custom of the manor, punishment of offenses, settlement of civil disputes, adoption or promulgation of local statutes. Many characteristics of mediaeval society, the actual status of the villein tenants, the shadowy distinctions between bond and free, the relations of both to the lord of the manor, are to be discovered from these records rather than from formal legal treatises, contemporary though they be. Theoretical law was different even from the practice of the king's courts, far more so from the actual conditions where local custom was all powerful.

It should be noted that in addition to the two senses already discussed, the word *manerium* sometimes refers to the actual manor-house or principal building of the manor, occupied regularly or occasionally by the lord of the manor, when it was in the possession of an individual, or by some official if it was, as in so large a number of cases, held by some corporation.

Lastly, it may be remarked, the manor is here treated entirely from the point of view of its internal organization. In its outward relations the manor was in many ways the unit alike of the early national organization of England and of the later feudal system superimposed upon it. The hundred and county courts had their largest element in the representatives from each manor or township within their borders; and even the king obtained his normal revenue from his income as lord of a vast number of manors.

Some typical examples of each of the classes of manorial documents described above are given in the following pages.

I. EXTENTS, RENTALS, OR CUSTUMALS.

1. A DOMESDAY MANOR: HECHAM, ESSEX, A. D. 1086.

Domesday Book, II, 78 b.

In the form in which the Domesday record has been preserved, the entries are arranged under each county by landholders, the possessions of the king being named and described first, then those of the largest landholders, and so successively till freeholders are reached who have only a single manor, or sometimes only land in a manor. Peter de Valence is one of the medium landholders.

Peter de Valence holds in domain Hecham, which Haldane a freeman held in the time of King Edward, as a manor, and as 5 hides. There have always been 2 ploughs in the demesne, 4 ploughs of the men. At that time there were 8 villeins, now 10; then there were 2 bordars, now 3; at both times 4 *servi*, woods for 300 swine, 18 acres of meadow. Then there were 2 fish ponds and a half, now there are none. At that time there was 1 ox, now there are 15 cattle and 1 small horse and 18 swine and 2 hives of bees. At that time it was worth 69s., now 4£ 10s. When he received this manor he found only

1 ox, and 1 acre planted. Of those 5 hides spoken of above, one was held in the time of King Edward by 2 freemen, and was added to this manor in the time of King William. It was worth in the time of King Edward 10s., now 22s., and William holds this from Peter de Valence.

2. A MANOR OF THE TWELFTH CENTURY, ABOUT A. D. 1125.

Liber Niger Monasterii Sancti Petri de Burgo, in Chronicon Petroburgense, Publications of the Camden Society, pp. 160–161.

The Black Book of Peterborough abbey, the contents of which have been printed as an appendix to the Chronicle of that abbey, contains the oldest manorial surveys, next to Domesday and the preceding Saxon documents. The date of its composition lies between 1125 and 1128.

In Werminton are 7 hides at the taxation of the king. And of this land 20 full villeins and 29 half-villeins hold 34 virgates and a half; and for these the full villeins work 3 days a week through the year; and the half tenants as much as corresponds to their tenancies. And all these men have 16 plows, and they plow 68 acres and a half, and besides this they do 3 boonworks with their plows, and they ought to bring from the woods 34 wagon loads of wood. And all these men pay 4£. 11s. 4d. And to the love feast of St. Peter 10 rams and 400 loaves and 40 platters and 34 hens and 260 eggs. And there are 8 socmen who have 6 plows. In the demesne of the court are 4 plows of 32 oxen, and 9 cows and 5 calves, and 1 riding horse and 129 sheep and 61 swine and 1 draught-horse and 1 colt. And there is 1 mill with 1 virgate of land and 6 acres which pays 60s. and 500 eels. And Ascelin the clerk holds the church, with 2 virgates of land, from the altar of St. Peter of Borough. Robert, son of Richard, has 2 virgates and a half. In this vill 100 sheep can be placed.

3. A MANOR OF THE THIRTEENTH CENTURY, A. D. 1279.

Rotuli Hundredorum, II, pp. 658–9.

The manor of Alwalton was in the Hundred of Normancross, County of Huntingdon, and like the preceding belonged to the abbey of Peterborough.

The abbot of Peterborough holds the manor of Alwalton and vill from the lord king directly; which manor and vill with its appurtenances the lord Edward, formerly king of England gave to the said abbot and convent of that place in free, pure, and perpetual alms. And the court of the said manor with its garden contains one-half an acre. And to the whole of the said vill of Alwalton belong 5 hides and a half and 1 virgate of land and a half; of which each hide

contains 5 virgates of land and each virgate contains 25 acres. Of these hides the said abbot has in demesne 1 hide and a half of land and half a virgate, which contain as above. Likewise he has there 8 acres of meadow. Also he has there separable pasture which contains 1 acre. Likewise he has there 3 water mills. Likewise he has there a common fish pond with a fish-weir on the bank of the Nene, which begins at Wildlake and extends to the mill of Newton and contains in length 2 leagues. Likewise he has there a ferry with a boat.

Free Tenants. Thomas le Boteler holds a messuage with a court yard which contains 1 rood, and 3 acres of land, by charter, paying thence yearly to the said abbot 14s.

Likewise the rector of the church of Alwalton holds 1 virgate of land with its appurtenances, with which the said church was anciently endowed. Likewise the said rector has a holding the tenant of which holds 1 rood of ground by paying to the said rector yearly 1d.

And the abbot of Peterborough is patron of the church.

Villeins. Hugh Miller holds 1 virgate of land in villenage by paying thence to the said abbot 3s. 1d. Likewise the same Hugh works through the whole year except 1 week at Christmas, 1 week at Easter, and 1 at Whitsuntide, that is in each week 3 days, each day with 1 man, and in autumn each day with 2 men, performing the said works at the will of the said abbot as in plowing and other work. Likewise he gives 1 bushel of wheat for benseed and 18 sheaves of oats for foddercorn. Likewise he gives 3 hens and 1 cock yearly and 5 eggs at Easter. Likewise he does carrying to Peterborough and to Jakele and no where else, at the will of the said abbot. Likewise if he sells a brood mare in his court yard for 10s. or more, he shall give to the said abbot 4d., and if for less he shall give nothing to the aforesaid. He gives also merchet * and heriot, and is tallaged at the feast of St. Michael, at the will of the said abbot. There are also there 17 other villeins, viz. John of Ganesoupe, Robert son of Walter, Ralph son of the reeve, Emma at Pertre, William son of Reginald, Thomas son of Gunnilda, Eda widow of Ralph, Ralph Reeve, William Reeve, William son of William Reeve, Thomas Flegg, Henry Abbot,

* Merchet, from Latin *maritagium*, was a payment collected by the lord of the manor, usually from the father of a girl of villein status on her marriage, but also frequently from widows remarrying, and even from men on their marriage. The payment of merchet was one of the most constant tests of villenage. See Maitland Sel. Pl. in Manorial Courts, Publications of Selden Soc. II, 94.

William Hereward, Serle son of William Reeve, Walter Palmer, William Abbot, Henry Serle; each of whom holds 1 virgate of land in villenage, paying and doing in all things, each for himself, to the said abbot yearly just as the said Hugh Miller. There are also 5 other villeins, viz. Simon Mariot, Robert of Hastone, Thomas Smith, John Mustard, and William Carter, each of whom holds half a virgate of land by paying and doing in all things half of the whole service which Hugh Miller pays and does.

Cotters. Henry, son of the miller, holds a cottage with a croft which contains 1 rood, paying thence yearly to the said abbot 2s. Likewise he works for 3 days in carrying hay and in other works at the will of the said abbot, each day with 1 man and in autumn 1 day in cutting grain with 1 man.

Likewise Ralph Miller holds a cottage with a croft which contains a rood, paying to the said abbot 2s.; and he works just as the said Henry.

Likewise William Arnold holds a cottage with a croft which contains half a rood, paying to the abbot 2d.; and he works just as the said Henry.

Liiewise Hugh Day holds a cottage with a croft which contains 1 rood, paying to the abbot 8d.; and he works just as the said Henry.

Likewise Sara, widow of Matthew Miller, holds a cottage and a croft which contains half a rood, paying to the said abbot 4d.; and she works just as the said Henry.

Likewise Sara, widow of William Miller, holds a cottage and a croft which contains half a rood, paying to the abbot 4d.; and she works just as the said Henry.

Likewise William Kendale holds a cottage and a croft which contains 1 rood, paying to the abbot 8d.; and he works just as the said Henry.*

* * * * * * * *

Likewise William Drake holds a cottage with a croft which contains half a rood, paying to the abbot 6d.; and he works just as the said Henry.

There are there also 6 other cotters, viz. William Drake Jr., Amycia the widow, Alice the widow, Robert son of Eda, William Pepper, William Coleman, each of whom holds a cottage with a croft which contains

* Here ten other cotters are named, their holdings, varying from a half rood to an acre, specified, and their payments and services indicated.

half a rood, paying and doing in all things, each for himself, just as the said William Drake.

Likewise William Russel holds a cottage with a croft which contains half a rood, paying to the abbot 8d.; and he works in all things just as the said Henry Miller.

There are moreover there 5 other cotters, viz. Walter Pestel, Ralph Shepherd, Henry Abbot, Matilda Tut, Jordan Mustard, each of whom holds a cottage with a croft which contains half a rood, paying thence and doing in all things to the said abbot just as the said William Russel.

Likewise Beatrice of Hampton holds a cottage and a croft which contains 1 rood, paying to the abbot 12d.; and she works in all things just as the said Henry.

Likewise Hugh Miller holds 3 acres of land, paying to the abbot 42d.

Likewise Thomas, son of Richard, holds a cottage with a croft which contains half a rood, and 3 acres of land, paying to the abbot 4s.; and he works just as the said Henry.

Likewise Ralph Reeve holds a cottage with a croft which contains 1 rood, and 1 acre of land, paying to the abbot 2s.; and he works just as the said Henry.

Likewise each of the said cottagers, except the widows, gives yearly after Christmas a penny which is called head-penny.

4. A MANOR OF THE FOURTEENTH CENTURY, A. D. 1307.

Custumals of Battle Abbey, Publications of Camden Society, pp. 17–22.

Extent of the manor of Bernehorne, made on Wednesday next after the feast of St. Gregory the Pope, in the thirty-fifth year of the reign of King Edward, in the presence of Brother Thomas, keeper of Marley, John de la More, and Adam de Thruhlegh, clerks, on the oath of William de Gocecoumbe, Walter le Parker, Richard le Knyst, Richard the son of the latter, Andrew of Estone, Stephen Morsprich, Thomas Brembel, William de Swynham, John Pollard, Roger le Glide, John Syward and John de Lillingewist, who say etc., that there are there all the following things:

The jurors say that the principal messuage and its garden with the herbage and curtilage are worth yearly 6s. 8d.; and the dovecote is worth yearly 5s.; and the windmill is worth yearly 20s.

And there are there 12 acres of thick undergrowth whence the pannage and herbage are worth yearly 2s.

And there are there 42 acres of maritime * land in a certain place called Scotsmarsh, each acre of which is worth yearly 12d., the sum being 42s.

And there are there 7 acres and 1 rood of maritime land in a certain place called Aldithewisse; and 47 acres and 3 roods of maritime land in a certain place called Flittermarsh, each acre of which is worth yearly 12d., the sum being 55s.

And there are there 22 acres of maritime land in two places called Pundfold and Longrech; and 7 acres of maritime land in a certain place called Wyssh, and 8 acres and 3 roods of maritime land in a certain place called Upcroft marsh, and 3 acres and a half of maritime land in a certain place called Redewysshe; and each acre is worth yearly 12d., the sum being 41s. 3d.†

* * * * * * * *

The total of the acres of woods is 12 acres.

The total of the acres of arable land is 444 acres and 3 roods, of which 147 acres 4 roods are maritime land, 101 acres marshy land, and 180 acres waste ground.

The total of the acres of meadow is 13 acres 1 rood.

The total of the whole preceding extent 18£. 10s. 4d.

John Pollard holds a half acre in Aldithewisse and owes 18d. at the four terms, and owes from it relief and heriot.

John Suthinton holds a house and 40 acres of land and owes 3s. 6d. at Easter and Michaelmas.

William of Swynhamme holds 1 acre of meadow in the thicket of Swynhamme and owes 1d. at the feast of Michaelmas.

Ralph of Leybourne holds a cottage and 1 acre of land in Pinden and owes 3s. at Easter and Michaelmas, and attendance at the court in the manor every three weeks, relief and heriot.

Richard Knyst of Swynhamme holds two acres and a half of land and owes yearly 4s.

William at Knelle holds 2 acres of land in Aldithewisse and owes yearly 4s.

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* Apparently land which was close to the salt marsh but yet capable of being cultivated, since agricultural services of the villein tenants are mentioned subsequently. Bernehorne is in Sussex, quite near the sea.

† Various numbers of acres of land situated in different places and at values from 3d. to 18d. per acre a year are here named.

Roger le Glede holds a cottage and 3 roods of land and owes 2s. 6d. at Easter and Michaelmas.

Alexander Hamound holds a little piece of land near Aldithewisse and owes 1 goose, of the value of 2d.

The sum of the whole rent of the free tenants, with the value of the goose, is 18s. 9d.

They say moreover that John of Cayworth holds a house and 30 acres of land, and owes yearly 2s. at Easter and Michaelmas; and he owes a cock and two hens at Christmas, of the value of 4d.

And he ought to harrow for 2 days at the Lenten sowing with one man and his own horse and his own harrow, the value of the work being 4d.; and he is to receive from the lord on each day 3 meals, of the value of 5d., and then the lord will be at a loss of 1d. Thus his harrowing is of no value to the service of the lord.

And he ought to carry the manure of the lord for 2 days with 1 cart, with his own 2 oxen, the value of the work being 8d.; and he is to receive from the lord each day 3 meals of the price as above. And thus the service is worth 3d. clear.

And he shall find 1 man for 2 days for mowing the meadow of the lord, who can mow, by estimation 1 acre and a half, the value of the mowing of an acre being 6d.; the sum is therefore 9d.; and he is to receive each day 3 meals of the value given above; and thus that mowing is worth 4d clear.

And he ought to gather and carry that same hay which he has cut, the price of the work being 3d.

And he shall have from the lord 2 meals for 1 man, of the value of 1½d. Thus the work will be worth 1½d. clear.

And he ought to carry the hay of the lord for 1 day with a cart and 3 animals of his own, the price of the work being 6d. And he shall have from the lord 3 meals of the value of 2½d. And thus the work is worth 3½d. clear.

And he ought to carry in autumn beans or oats for 2 days with a cart and 3 animals of his own, the value of the work being 12d. And he shall receive from the lord each day 3 meals of the value given above; and thus the work is worth 7d. clear.

And he ought to carry wood from the woods of the lord as far as the manor * for two days in summer with a cart and 3 animals of his

* i. e., the manor-house.

own, the value of the work being 9d. And he shall receive from the lord each day 3 meals of the price given above; and thus the work is worth 4d. clear.

And he ought to find 1 man for 2 days to cut heath, the value of the work being 4d., and he shall have 3 meals each day of the value given above; and thus the lord will lose, if he receives the service, 3d. Thus that mowing is worth nothing to the service of the lord.

And he ought to carry the heath which he has cut, the value of the work being 5d. And he shall receive from the lord 3 meals at the price of 2½d. And thus the work will be worth 2½d. clear.

And he ought to carry to Battle twice in the summer season, each time half a load of grain, the value of the service being 4d. And he shall receive in the manor each time 1 meal of the value of 2d. And thus the work is worth 2d. clear.

The total of the rents, with the value of the hens, is 2s. 4d.

The total of the value of the works is 2s. 3½d; owed from the said John yearly.

William of Cayworth holds a house and 30 acres of land and owes at Easter and Michaelmas 2s. rent. And he shall do all customs just as the foresaid John of Cayworth.

William atte Grene holds a house and 30 acres of land and owes in all things just as the said John.

Alan atte Felde holds a house and 16 acres of land (for which the sergeant pays to the court of Bixley 2s.),* and he owes at Easter and Michaelmas 4s., attendance at the manor court, relief and heriot.

John Lyllingwyst holds a house and 4 acres of land and owes at the two terms 2s., attendance at the manor court, relief and heriot.

The same John holds 1 acre of land in the fields of Hoo and owes at the two periods 2s., attendance, relief and heriot.

Reginald atte Denne holds a house and 18 acres of land and owes at the said periods 18d., attendance, relief and heriot.

Robert of Northehou holds 3 acres of land at Saltcote and owes at the said periods attendance, relief and heriot.

Total of the rents of the villeins, with the value of the hens, 20s.

Total of all the works of these three villeins, 6s. 10½d.

And it is to be noted that none of the above named villeins can

* Bixley was a neighboring manor, held by the Bishop of Chichester, having certain claims over some of the land in the manor of Bernehorne.

give their daughters in marriage nor cause their sons to be tonsured,* nor can they cut down timber growing on the lands they hold, without license of the bailiff or sergeant of the lord, and then for building purposes and not otherwise. And after the death of any one of the foresaid villeins the lord shall have as a heriot his best animal, if he had any; if however he have no living beast the lord shall have no heriot, as they say. The sons or daughters of the foresaid villeins shall give for entrance into the holding after the death of their predecessors as much as they give of rent per year.

Silvester the priest holds 1 acre of meadow adjacent to his house, and owes yearly 3s.

Total of the rent of tenants for life, 3s.

Petronilla atte Holme holds a cottage and a piece of land and owes at Easter and Michaelmas . . ; attendance, relief and heriot.

Walter Herying holds a cottage and a piece of land and owes at Easter and Michaelmas 18d., attendance, relief and heriot.

Isabella Mariner holds a cottage and owes at the feast of St. Michael 12d., attendance, relief and heriot.†

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Total of the rents of the said cotters, with the value of the hens, 34s. 6d.

And it is to be noted that all the said cotters shall do as regards giving their daughters in marriage, having their sons tonsured, cutting down timber, paying heriot, and giving fines for entrance just as John of Cayworth and the rest of the villeins formerly mentioned.

Note, fines ‡ and penalties, with heriots and reliefs, are worth yearly 5s.

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* That is to let them enter the clergy. This was not only a common prohibition according to the custom of many manors but was enacted in statute law. "Sons of rustics ought not to be ordained without the assent of the lord on whose land they are known to have been born." Constitutions of Clarendon, c. 16. (A. D. 1164.)

† Eleven other cotters are named holding cottages and amounts of land varying from a rood to three and a half acres and giving payments up to three shillings, and the other services.

‡ A "fine" was a payment made to the lord by any one who acquired land in the manor in any other way than by inheritance, in which case the payment was relief. The usual word for a penalty was not "fine" but "amerciament;" or it was recorded that a person was "in mercy."

5. A MANOR OF THE FOURTEENTH CENTURY, A. D. 1308.

Cunningham: Growth of English Industry and Commerce. Vol. I, Appendix.

Extent of the manor of Borley made there on Tuesday next after the feast of St. Matthew the Apostle, A. D. 1308, in the first year of the reign of King Edward, son of King Edward, in the presence of John le Doo, steward, by the hands of William of Folesham, clerk, on the oath of Philip, the reeve of Borley, Henry Lambert, Dennis Rolf, Richard at Mere, Walter Johan and Robert Ernald, tenants of the lord in the said vill of Borley. These all, having been sworn, declare that there is there one messuage well and suitably built; that it is sufficient for the products of the manor, and that it contains in itself, within the site of the manor, 4 acres, by estimation. The grass there is worth yearly, by estimation, 2s. And the curtilage there is worth yearly 12d., sometimes more and sometimes less, according to its value. And the fruit garden there is worth yearly as in apples and grapes, perhaps 5s. and sometimes more. Total, 8s.

And it is to be known that the lord is the true patron of the church at Borley, and the said church is worth yearly, according to taxation, in grain, in offerings, in dues. and in other small tithes, £10.

And there is one water-mill in the manor, and it is worth yearly on lease 60s. And the fishpond in the mill dam, with the catch of eels from the race, is worth yearly, by estimation, 12d. Total, 61s.

There is there a wood called le Hoo, which contains 10 acres, and the underbrush from it is worth yearly, without waste, 5s.; and the grass from it is worth yearly 5s.; and the feeding of swine there is worth yearly 12d. And there is there a certain other wood called Chalvecroft, which contains, with the ditches, 5 acres. And the herbage there is worth yearly 2s. 6d.; and the underbrush there is worth 3s.; and the feeding of swine there is worth yearly 6d. Total value, 17s.

There are there, of arable land in demesne, in different fields, 300 acres of land, by the smaller hundred. And it is worth yearly, on lease, £15, at the price of 12d. per acre. Total acreage, 300. Total value, £15.

And it is to be known that the perch of land in that manor contains 16½ feet, in measuring land. And each acre can be sown suitably with 2½ bushels of wheat, with 2½ bushels of rye, with 2½ bushels of peas, with 3 bushels of oats, and this sown broadcast, and with 4 bushels of barley, even measure. And each plough should be joined

with 4 oxen and 4 draught horses. And a plough is commonly able to plough an acre of land a day, and sometimes more.

There are likewise of mowing meadow in various places 29 acres and 1 rood. This is worth yearly £7 6s. 3d., at 5s. an acre. Total acreage, 29 A., 1 R. Total of pence, £7 6s. 3d.

There are likewise of enclosed pasture 28 acres, and this is worth yearly 42s. at 18d. per acre. Of this 16 acres are assigned to the dairy for the cows, and 12 for the oxen and young bullocks. Total, 42s.

It is to be known that the lord can have in the common pasture of Borley, along with the use of the fresh meadows and of the demesnes of the lord, in the open time, 100 sheep, by the greater hundred. And their pasture, per head, is worth 2d. yearly, and not more, on account of the resumption of the food of the shepherd. Total, 20s.

There is there likewise a certain court of free tenants of the lord and of the customary [tenants] meeting every three weeks. And the fines and perquisites thence, along with the view of frank pledge, are worth 20s. a year.*

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II. YEARLY ACCOUNT OF MANOR OF CUXHAM. A. D. 1316–17.

Rogers: History of Agriculture and Prices in England, II, 619–622; Appendix.

Compotus of Robert Oldman, reeve of Cuxham, from the morrow of St. James, in the 10th year of the reign of King Edward, to the morrow of St. James in the next following year, that is the beginning of the 11th year of the reign of King Edward.

Arrearages. He is charged with 6£. 19½d. of arrearages from the preceding account. Total 6£. 19½d.

Rents of Assize. He is charged with 13s. 1d. of rent of the period of St. Michael; and with 11¾d. from the foldage of the animals at the feast of St. Martin; and with 6s. 1½d. of rent of the period of St. Thomas . . . . . for the same; and with 5s. 1½d. at the period of St. John; and with 18d. of new rent for 1 acre of land granted to Robert Taylor. Total 38s. 10¾d.

Rent. He is charged with 40s. of rent of the water mill; and with 13s. 4d. of yearly rent of the fulling mill. Total 53s. 4d.

* Various free and customary tenants and cotters are then named, their holdings and services described, and some further statements as to the customs of the manor made. This extent is translated in full with an introduction in Annals of the American Academy of Political and Social Science, Vol. IV., No. 2, Sept., 1893.

Sale of Wheat. He is charged with 4£. 16s. for 6 quarters of wheat sold Thursday next before the first of August, at 16s. a quarter; and with 10d. for 1 bushel of wheat sold in the autumn to William Walderugge because the keeper granted this to him; and with 6£. 6s. for 9 quarters of wheat sold before the feast of All Saints at 14s. a quarter. And with 4£. 16s. for 6 quarters of wheat sold on the Thursday next before the feast of St. Michael, at 16s. a quarter.

Total 15£. 18s. 10d.

Sale of Peas and Oats. He is charged with 24s. for 2 quarters and 2 bushels of peas sold, at 10s. 8d. a quarter. And with 8s. 8d. for 1 quarter and 5 bushels of oats sold, at 5s. 4d. a quarter.

Total 32s. 8d.

Sale of Malt. He is charged with 17s. 6d. for 1 quarter and 2½ bushels of malted barley sold, at 13s. 4d. a quarter. And with 16s. 3d. for 1 quarter and 5 bushels of malted drage sold, at 10s. a quarter.

Total 33s. 9d.

Sale of Animals. He is charged with 15s. for 1 work horse sold; and with 40s. for 4 oxen sold; and with 12s. for 1 cow sold in the autumn because she was barren; and with 11s. for 1 cow sold because she was barren; and with 8s. for 1 cow sold because she was weak and old; and with 4s. 6d. for 1 young bull sold because he was weak; and with 11s. 1d. for 7 calves sold, the price of each being 19d.; and with 18d. for 2 sheep sold in winter before the shearing because they were weak; and with 5s. 11½d. for 13 geese, the price of each goose being 5½d.; and wih 11s. 1d. for 4 score of pigeons sold.

Total 7£. 17s. 1½d.

Products of the Manor. He is charged with 9d. for swine running in the stubble in the autumn, as shown in the items; and with 5½d. for sheepskins sold; and with 2s. 6d. for works of Richard Est sold in the winter; and with 2s. 6d. for works of Adam Brian sold in the winter; and with 15d. for works of Joanna Bonecherche sold in the winter; and with 2s. for 1 perna of bacon; and with 12d. for peas-straw sold; and with 11s. 3d. of present bread of the customary tenants sold at the feast of Christmas; and with 18½d. for 308 eggs sold, viz., 16 for 1d.; and with 33s. for 5½ stone of wool sold, the price of a stone being 6s., that is the stone weighing 16 lbs. and containing 42 fleeces. Total 47s. 3d.

Products of the Dairy. He is charged with 5s. 8d. for 17 cheeses of the fourth form sold, the price of each 4d.; and with 18s. 3d.

for 73 cheeses of the third form sold, the price of each 3d.; and with 4s. 10d. for 29 cheeses of the second form sold, the price of each 2d.; and with 6d. for 6 cheeses of little form sold; and with 22d. for milk sold from the Thursday next after the feast of St. Thomas the Apostle to the morrow of the Annunciation of the Blessed Mary; and with 3s. 1d. for butter sold in autumn and in winter; and 6d. for milk sold between the feast of the Annunciation and the Thursday next after the feast of S. John before the Latin Gate; and with 10d. for 5 cheeses of the second form sold within this year; and with 12d. for butter sold in summer, and not more because 3½ jars of butter have been sent to Oxford. Total 36s. 6d.

Fines of Land and Heriot. He is charged with 40s. from Thomas Canon as a fine for the land which was Adam atte Hethe's; and with 30s. from William Burdon as a fine for the land which was Robert Wyte's; and 2s. for a copper pot coming as a heriot from Adam atte Hethe, which was sold. Total 72s.

Pleas and Perquisites. He is charged with 3s. 7d. of perquisites of the court held Wednesday next after the feast of St. Mary Magdalen. Total 3s. 7d.

Outside Receipts. He is charged with 12d. of perquisites of the court of Ibestane held Thursday next after the feast of St. Mary Magdalen; and for 13s. 4d. received from John, son of John Coleman, as a fine for the land which belonged to John the Wyte of Ibestane; and with 13s. 4d. received from Amisia, daughter of John Coleman, as a fine for the land which belonged to John the Baker of Ibestane; and with 37s. 6d. for 51 skins of wool sold in the past year which weighed 5 stones, viz., the stone being 16 lbs., the price of a stone being 5s. 6d. Total 56s. 10d.

Total of all the receipts with arrearages 48£. 17s. 4¾d.

EXPENSES.

Quittances of his own rent. In quittance of his own rent of Waterilond 1d.; and for present bread 2d.; and for saltsilver ½d. Total 3½d.

Cost of the plows. For 6 pieces of steel bought for the plows 5s. 10d.; for 3 pieces of steel bought for the same 3s. 7d.; for 1 piece of steel bought 15d.; for 6 wheels bought 18d.; for poles bought for the third plow 2½d.; for the wages of the blacksmith for repairing the plowshares between the feast of St. James and the feast of St.

Michael 2s.; for shoeing the draught horses in the same period 18½d. Likewise in payment of the blacksmith for the repair of the plowshares between the feast of St. Michael and the feast of St. Thomas the Apostle 3s.; for shoeing the draught horses during the same time 18d. In payment to the blacksmith for mending the plowshares between the feast of St. Thomas and the feast of the Annunciation 2s. 1d.; for shoeing the draught horses during the same time 16d. Likewise in payment to the blacksmith for the repair of the plowshares between the feast of the Annunciation and the feast of St. James 4s. 6d. For shoeing the draught horses during the same time 17d.; for 4 horse-shoes bought 16d.; for 2 trees for timber for the plows 3s.; for cutting down and hauling the same 4d. Total 34s. 4d.

Cost of the Carts. For 17 clouts bought 21d.; for 100 clout nails bought 2½d.; for 1 pair of packsaddles and 3 collars bought 3s. For 1 pair of traces bought 6d.; for leather bought for harness 12d.; for 5 lbs. of grease 15d., at 3d. per pound; for 1 pair of wheels without tires bought 2s. 4d.; for 1 rear cord bought 1½d.; for the shoeing of 2 cart-horses between the feast of St. James and the feast of St. Michael 18d.; and the feast of St. Michael and the feast of St. Thomas the Apostle 19d.; and between the feast of St. Thomas and the Annunciaton 20d. For the shoeing of 3 cart-horses from the feast of the Annuncaton to the feast of St. James 2s. 1½d. Total 17s. 3d.

Small necessary Expenses. For 2 hair ropes bought, of which one was of 6 fathoms and another of 11 fathoms, for keeping the draught horses in the pasture, 9d.; for iron bought at Pyrtone 22s.; for iron bought from Robert Weylond 18d.; for a dish for meat and 4 other dishes because it was autumn 4d.; for 6 bushels of salt bought 12s.; for 3 bushels of salt bought 3s. 6d.; for the custom of the cotters for carrying the fold 2d.; for 7½ quarters of drage bought for feeding the swine 4s. 10d., at different prices. For brushwood bought for the hearths 3s. 6d.; for 3 quarters and 2 bushels of gleanings bought for the swine, of which 5 bushels were sent to Oxford, 8s. 8d., the price per quarter being 2s. 8d.; for 1 knife bought for cutting the vegetables for the servants; for rods bought for wattling the fold 8d.; for 12 clouts bought for the fold 2s.; for rods bought for the harrows 2½d.; for fines bought 18d.; given for the tithe of 7 calves sold 13¼d.; and for the tithe of 3 calves remaining 1½d.; and for the tithe of 1 lamb ½d.; and for the tithe of 4 skins sold ½d. For milk bought for the lambs 4½d.; for washing and shearing the sheep 6d.; for making 4

halters of horsehair 1d.; for expenses of the reeve at Henley for 6 days, selling grain, 9d.; for the expenses of the clerk when he made the account 12d.; for parchment bought for the account 1½d.; for pasture bought at Pyrtone 18d.; for hay bought for next year 22s. 3d.

Total 4£. 9s. 8¼d.

Cost of the Dairy. For rennet bought 6d.; for cloth bought for the dairy 3d.; for pots bought 3½d. Total 12½d.

Purchase of Grain. For 2 quarters and 2 bushels of oats bought on account of the lack of threshing 9s., the price of a quarter being 4s.; for 5 bushels of vetches bought 7s. 6d., the price of a bushel being 18d.; for 1 quarter of barley bought 10s. 2d. Total 26s. 8d.

Purchase of Animals. For 1 draught horse bought on St. James' Day 22s. 6¼d.; for 1 draught horse bought in Easter week 14s. 4d.; for one cow bought in the autumn, before calving 11s. 1d.

Total 45s. 11½d.

Cost of the Buildings. For one man and his helper hired for 22 days to put a roof on 2 barns, a hay-mow, and the kitchen 11s., being 6d. a day; for 2 women helping them for 10 days 3s., being 2d. a day. For 1000 lath-nails bought 11d.; for poles bought for prys 6d. For one man hired for 4 days to roof 2 cottages of the vill 16d., at 4d. a day; for poles bought for prys 2d.; for one woman helping him 4d. For 2 quarters of lime bought 8d. Total 17s. 11d.

Cost of the Mill. For timber bought to renew the water wheel of the mill; for nails bought for the same 6d. Total 3s. 10d.

Threshing and Winnowing. For the expnses of Peter of Wantage while he was having the threshing done 5s. 2d.; for the threshing of 9 quarters and 6 bushels of wheat by task, before the feast of St. Michael, 3s. 3d., the price of a quarter being 4d.; for 3 bushels of wheat threshed, at task, after the feast of St. Michael 9d. For the winnowing of the same 2d., because the dairyman winnowed one-half. For the threshing of 12 quarters and 1 bushel of wheat and 2½ quarters of peas, in the time of master John of Tube 3s. 7¾d., the price of a quarter being 3d.; for winnowing the same 2½d., because the dairyman winnowed one-half, being 3 quarters for 1d. For the expenses of master John of Tube while he was having the threshing done 7s. 4¾d., besides some wheat. For the expenses of John of Odiham while he was having the threshing done 22d., besides some of the produce of the oats. For the expenses of master Walter of Durton while he was having the threshing done 3s. 3d., for the same time. For the

expenses of master John of Crofton while he was having the threshing done 8d., besides some of the wheat. For the threshing of 1 quarter and 3 bushels of wheat in the time of Walter of Durton 4¼d.; for the winnowing of the same 1 farthing. Total 27s. 6½d.

Weeding and Mowing. For 20 men hired for 8 days to pull bitter weeds and cut thistles in the grain 13s. 4d., a penny a day to each one. For the custom of the mowers for medsipe, for hauling hay, 2d.; for the custom of 12 cottagers stacking hay 6d. For mowing the garden 2s. 1d. Total 16s. 7d.

Autumn Expenses. For reaping 33 acres and 1 rood of wheat, at task, 22s. 10d., during the time of master William Boliner, the price of an acre being 8d. For reaping 44½ acres of drage and oats, at task, 31s. 9½d., the price of an acre being 7d., through the same time. For reaping 6 acres of drage and oats, at task, 3s., during the same time, the price of an acre being 6d. For the expenses of master William Boliner, Peter of Wantage, the reeve, hayward, and dairyman through 4 weeks in autumn, and at the coming of the keeper and others who came after, 15s. 1d., through the same time. For 3 men hired at the park of Pyrtone 6d. Total 73s. 2½d.

Wages of Servants. For the wages of 2 hostlers in the winter season 4s., also for 2 drivers 3s., also for the carter 2s., also for the shepherd 12d., and not more because he kept the sheep of others; also to the cowherd in winter 12d., likewise to the dairyman 12d. For the payment to the clerk who drew up the account 2s., and 2s. as a gratuity. Total 16s.

Expenses of the Steward. For the expenses of the steward in holding the courts of Cuxham and Ibestane Monday and Tuesday next after the feast of St. Mary Magdalen, bread from the store-room, for ale 22d., for meat 5d. Total 2s. 3d.

Expenses of the Keeper. For the expenses of the keeper on his coming from London on the morrow of St. Frideswide's, bread from the store-room. For ale 4d., for one sheep given to the servants 3d., and to the bailiff of the king 12d., and to the hayward of Pyrtone, at the order of the keeper, 12d. For the expenses of the same near Hokeday, staying 5 days, bread from the store-room; for ale 2s. 11d., for meat 11s. 5d., besides bacon from the store-room; for peas 6d., for bridles 4d., given to the bailiff of the king 6d., and to the servants 4d., and to a man coming from Scotland to the lord king 6d.

Total 10s. 2d.

Outside Expenses. For the expenses of the bailiffs of Maldon, Ledrede, and Farley, in coming to the account and in returning; bread and cheese from the store-room, for ale, 12d. For the expenses of the carter of Chetindone coming from Oxford and of the carters of Haliwell on their coming to Bredefeld to get timber there, bread and cheese from the store-room; for ale, 8d. For the expenses of the same and of the carter of Cuxham on the way to Bredefeld four times and on the way to Alremanson twice, with the expenses of one man going with him twice, 5s. 6d. For 6 clouts with nails bought for the cart from Chetindone 9d. For hay bought on the way for the horses 12d. For the expenses of the tax collectors of the sixteenth penny, bread and cheese from the store-room, for ale, 7½d.; given to the same 6s. 8d. Given to the lord king for the sixteenth penny 28s. For poles bought as prys for preparing timber 3d.; for one man and his helper hired for 3 days at preparing timber 28d.; for one woman helping them for 2 days 2d. For the expenses of 2 men coming to Maldon to hunt for a pig there, bread and cheese from the store-room, ale, 2d. For eggs 1d. For the expenses of the 2 men driving a pig to Chetindone 6d. For the expenses of lord Stephen of Chenidant, Friday next before the feast of St. Thomas the Apostle, bread and cheese from the store-room, ale, 2d. For the expenses of 4 masters coming to Reading for orders and returning about the feast of St. Thomas the Apostle, bread 5d., beside bread from the store-room, ale 13d., garlic 1d., cheese from the store-room. For shoeing 3 horses of the cart of Chetindone and for mending the broken strakes and hooks of the cart 15d. For the expenses of master Adam of Hystede coming from London on the morrow of St. Agatha the Virgin, bread from the store-room, ale, 4d. For the expenses of a man of the king and his servant coming from Oxford to mark the door of the barn, Thursday next after the conversion of St. Paul; and the same servant remained for 2 days; and of another servant who came to him and remained 2 days; bread and cheese from the store-room, ale, 8d., meat 3d., eggs 1d. Also given to the said men of the lord king 2s. For hauling 4 casks and 1 pipe from London to Henley 6s. 9d., at 18d. a cask and 9d. for the pipe. For a house hired for storing the said casks at Henley 6d.; for rolling the said casks into the house and out of the house again when they had to be put into the cart 7d.; for placing the same in the cart 9d.; for hauling the same from Henley to Cuxham 18d. For expenses at Cuxham. For 2 men coming from Oxford to get one cask, bread and

cheese from the store-room, ale 2d., garlic 2d. For the expenses of the bailiff of Ledrede going to Oxford and returning, about the feast of St. Osyth the virgin, bread from the store-room, ale 2½d., eggs 1d., cheese from the store-room. For 164 eggs bought for the account 12d.

Total 65s. 1d.

Total of all expenses 22£. 7s. 9½d.

And he owes 26£. 9s. 7½d.

III. MANOR COURT ROLLS.

1. MANOR COURT ROLLS OF GREAT CRESSINGHAM, NORFOLK, 1328–9.

Five Court Rolls of Great Cressingham, Edited and Translated by Henry W. Chandler, Privately Printed, London, 1885. pp. 17–35.

A Court in the same place (Great Cressingham), on Monday next after the feast of the Nativity of the Blessed Mary in the year of the reign of King Edward above mentioned.*

Excuse. William of Glosbridge, attorney of Sir Robert de Aspale by the common excuse through W. Prat. (He came afterwards.)

Order. It was ordered, as before, to distrain master Firmin to show by what right, etc., concerning the tenement Walwayn. Likewise to distrain Sir John Walwayn for fealty.

Amerciament, 3d. From Petronilla of Mintling for leave to agree with William Attewente, concerning a plea of trespass.

Order. It was ordered to distrain Peter the Cooper for 15d. which he owed to Roger the Miller, at the suit of William Attestrete, who proved against him four shillings in court.

Fine, 12d. From Walter Orengil for his term of four years to hold in 6 acres of land rented from Gilbert Cloveleke, for which grant the said Walter is to pay annually, at the feast of All Saints, to the said Gilbert four quarters and four bushels of barley, during the said term. Pledges Nally and John Buteneleyn.

Amerciament, 2d. From John Brichtmer because he was summoned to do one boon-work in autumn and did not come. Therefore he is to be amerced.

Amerciament, 2d. From Alice, wife of Richard of Glosbridge, for the same.

Amerciament, 2d. From William Robyn for the same.

Order. From Walter Page and Margaret his wife, because they

*I. e., Edward III; Sept. 12th, 1328.

cannot deny that they are keeping back from John of Euston 3d.; and therefore it was ordered that the said 3d. should be levied from the said Walter to the use of the said John. (Reversed, because he is poor.)

Fine, 4d. Martin the son of Basil and Alice his wife having been examined by the bailiff, surrendered into the lord's hand one rood of land with a cottage thereon, to the use of Isabel daughter of John Fayrsay and their heirs, to hold in villenage at the will of the lord, doing etc. all rights being saved. And she gives, etc.

Fine, 4d. Isabel Fayrsay surrendered into the lord's hands one rood and one quarter of a rood of land and one rood of meadow and half of a cottage to the use of Martin Basil's son and Alice his wife and their heirs, to hold in villenage at the will of the lord, doing etc. All rights being saved. And he gives to the lord.

Fine, 4d. From John Pye for his term of five years to hold in three roods of land rented from Hugh Holer. The term begins at the feast of St. Michael.

Fine, 4£. It is to be remembered that the lord out of his seisin delivered and gave to Vincent of Lakinham one messuage, 7 acres 2½ roods of land of the villenage of the lord, which had been taken into the lord's hand after the death of William the son of Hugh because the aforesaid William was a bastard son and died without heirs, to hold of him to the aforesaid Vincent and his heirs, in villenage at the will of the lord, doing thence the services and customs due. All rights being saved. And he gives to the lord for his entry. And saving to Alice who was the wife of Hugh the son of Lawrence half of the said tenements to hold in dower for the term of her life.

Note, 1 beast; price 10s. The jury says John Bassissone has died seized of one messuage, 16 acres and 1 rood of land of villenage, and that John his son is his next heir, and is of the age of nine years. And because the said heir has not come, therefore it is ordered that seisin be in the whole villenage until, etc.

Order. To distrain the tenants of the tenement Sowle for one boon-work withheld in autumn.

Fine, 40s. All the jury says that Thomas Ode has died seised of a cottage and 5 acres and one rood of land of the villenage of the lord, and that they know him to have no surviving heir, and therefore the whole tenement was taken into the lord's hand. And the lord out of his seisin delivered and gave the whole of the said tenement to a certain Simon Maning of Walton and his heirs to hold in villenage at

the will of the lord, doing therefor the service and customs due. Saving all kinds of rights. And he gives to the lord to have entry.

Order. Ordered to distrain Henry le Cok, John Maggard, chaplain, and John Ingel, because they withhold from the lord 3d. rent now for five years for the parcel tenement Merchant.

Likewise to distrain Richard of the River for fealty for the tenement formerly of Reyner Attechirche.

Election. The whole homage elect the tenement of Geoffrey Attechirchgate for the office of reeve this year, and the tenants are Nally, Buteneleyn, Martin, Bassissone, and others. And the said Alexander was sworn.

Likewise the tenement of Lawrence Smith for the next year.

Likewise the tenement Ernald for the office of reaper: and the tenants are W. Macurneys, Buteneleyn, W. Pawe, and T. Attenewhouse. And the said W. Pawe was sworn and afterward excused. And Prat performs the office for him.

Order. It was ordered to distrain Alan son of William Attehallgate and John his brother, for fealty for the tenement which belonged to master Roger de Snetisham of the fee of the lord.

Likewise to distrain John Pye to show by what right, etc., and for fealty.

Likewise to retain the pledges taken from the men of Hilburworth until they have made satisfaction for damages done in the common.

Amerciament, 12d. From William Hubbard for damage in the lord's meadows.

Amerciament, 6d. From John Aylemer for damage in the fields in autumn.

Amerciament, 2d. From Hugh Holer because he did not do his boon-work in autumn, as he was summoned to do.

12d. From Isabel Syapping for license to have a fold of her own sheep.

Memorandum. Of 4 bushels of barley taken from Roger the miller, etc., by the Reaper; and let them be handed over to Thomas Pawe for a debt recovered against the said Roger.

Total 6£. 4s. 11d., besides a heriot valued at 10s.

Total of all the courts for the whole year, 8£. 16s. 8d.

CRESSINGHAM. A Court and Leet there on Monday next after the feast of the apostles Peter and Paul, in the third year of the reign of king Edward, the Third from the Conquest.*

*I. e. July 3d, 1329.

* * * * * * * *

Fine, 18d. Gilbert de Secheforde surrendered into the hands of the bailiff, in the presence of the whole homage a cottage to the use of John Putneys and his heirs, to hold in villenage at the will of the lord, doing thence the services and customs due; saving rights of all kinds. And he gives for entry, etc.

Order. It was ordered to retain in the lord's hand one messuage and one acre of land of which John Belessone was seized when he died, because it is not known of what condition he was; and therefore the rolls of the 34th and 32d of king Edward are being examined.

Amerciament, 3d. From Alice, daughter of Geoffrey Attenewhouse, for marrying without leave.

Amerciament, 4d. From John, son of Martin, for the same.

Postponement. A suit between Thomas Attetunesende, plaintiff, and Adam Attewater, defendant, concerning a plea of agreement, was postponed till the next court by consent of the parties on account of arbitration.

Postponement. A distraint taken from John Maggard and Henry le Coke for arrears of rent was postponed till the next court. And it was ordered to distrain John Ingil, their joint-tenant, etc.

Chief Pledges.

John Buteneleyn,	John Hardy,
William Robin,	Thomas Hardy,
Henry Pawe,	Nicholas, son of Roger,
Laurence Smith,	Roger Attehallgate,
Roger Gurnay,	William le Warde,
William Attestrete,	Robert Gemming.

These were sworn and say:

Fine, 3d. From William Hubbard for license to put his grain growing in the lord's villenage, out of villenage.

Amerciament. From Silvester Smith, for blood drawn from John Marschal. (Erased.) Because he was elsewhere.

A. 6d. From John Barun for the same from William, son of Sabine.

A. 3d. From Margaret Millote for the same from Agnes, daughter of Martin Skinner.

A. 6d. Form the rector for an encroachment on the common at Greneholm, 12 perches long and 2 feet wide.

A. 6d. From the same rector for an encroachment made at Caldewell, 20 perches long and 1 foot wide.

A. 3d. From Roger of Draytone because he made an encroachment at the Strete 3 perches long and 1 foot wide.

* * * * * * * *

A. 6d. From Hugh Rolf and Hugh Holer for license to resign the office of ale-taster.

Election. Alan le Cok and Alan le Spicer were elected to the office of ale-taster, and sworn.

A. 2d. From Christiana Punte because she has sold ale and bread contrary to the assize.

A. 2d. From William, son of Clarissa because he broke into the house of John son of Geoffrey Brichmer.

A. 2d. From Adam son of Matilda Thomas because he is not in the tything.

A. 2d. From John son of Thomas Brun for the same.

A. 6d. From Peter the miller for a hue and cry justly raised against him by the wife of William the Fuller.

* * * * * * * *

2. EXTRACTS FROM THE HALMOTE COURT ROLLS OF THE PRIOR AND CONVENT OF DURHAM, 1345–83.

Publications of the Surtees Society. Vol. 82, pp. 16–179.

The following items are extracted from the records of the successive courts held by the Steward, Bursar, or Terrar of the Priory of Durham. Three courts a year seem to have been held in each of the fifteen manors belonging to the convent, besides more frequent meetings, at the call of the reeve. The word "halmote" or "halimote" is frequently applied to the manor court meetings, and is generally considered to be equivalent to a meeting in the hall or manor house. See Maitland, Sel. Pleas in Manorial Courts, I, lxxvi.

First Tourn of the Halmotes of the Priory of Durham, beginning at Fery, July 6th, A. D. 1345, before lords William of Chareton and Robert of Benton, Terrar and Bursar, and Simon Esshe, Steward.

Spen, 1345. Agnes widow of Adam of Mora has taken a house and 50 acres of land which her husband Adam formerly held, paying annually for her life 33s. 4d. And there is remitted to her 16s. 8d. a year from the old rent on account of her age and weakness of mind.

Billingham, 1345. Agnes daughter of William Nouthird has taken a cottage with the curtilage, which the said William her father formerly held, to be held on payment of 6d. a year and 20 autumn works in the manor of Billingham, provided she has food. Fine, 2s.; pledges J. of Stokton and Alexander son of Gilbert.

The reeve and jurors complain and present that certain persons named below do not hold land by reason of which they have any right

to have part in the common pasture, and yet they feed their cattle on the pasture of the vill to the injury of those who hold land. It is therefore required that they remove their animals from the pasture so that for the future they shall not thus overstock the pasture; under penalty of half a mark.

North Pittington, 1358. Bonageus * Moneyer came here into court and took a messuage and 28 acres of land which had been Christiana Ponchoun's, because no one of the blood of the said Christiana was willing to fine for them, to have and hold for the term of his life, on payment for the first 3 years of 13s. 4d. a year, and afterward 20s. a year. And the same Bonageus will repair within a year, at his own cost, the building of the foresaid messuage. And he gives for a fine 20s. of which 13s. 4d. is remitted for the repairs of the foresaid buildings. Pledges for the rent and for all other things which are required Robert Thomson and John Ponchoun.

Bonageus Moneyer came here and took a messuage and 20 acres of land formerly in the tenure of Richard of Aucland vicar of Pittington, which were seized into the hand of the lord because he left them and rented them without license of the lord; to have and hold for the term of his life, paying the ancient rent and doing for the lord and his neighbors what is required; on the pledge of John Ponchoun and Robert Thomson. And he gives as fine 13s. 4d.

West Raynton, 1364. It is reported by the inquisition upon which Hugh Urkyll has placed himself, viz. on the oath of, etc. (8 names) that the said Hugh is a *nativus* † of the lord prior and that his father and grandfather were considered as *nativi* of the said lord prior. And moreover this same Hugh made his fealty here in court just as pertains to a *nativus*. It is reported by the same inquisition that John Wydowson is a *nativus* of the lord and of like condition, etc.; and besides this, etc. has made his fealty etc. It is ordained and enjoined on all

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* In 1364, Bonageus, a Florentine, was moneyer for the king of Scotland. This was probably the same man. He might have been in 1358 minter for the Bishop of Durham. By 1364 he is recorded as having left his holdings at Pittington.

† That is, a bondman of the lord born on the manor. The word is used not in contrast with *villanus*, but as a more exact term, laying stress on his servile status, at a period when many men in the social position of villeins were no longer personally unfree. It is here evidently a term of opprobrium, as well as an indication of subjection to the burdens of serfdom. The official who holds the court seems to deprecate any rousing of the resentment of the villein tenants by its open use.

who were on the foresaid inquisition that each of them hold what was said among them as a secret, under penalty of payment of 40d. by the one who is found guilty. It is enjoined on all the tenants of that vill and the vill of East Raynton that no one of them call any one of those vills "*nativus*" of the lord, under penalty of payment of 20s. by the one who is found guilty.

Billingham, 1364. It is enjoined upon all the tenants of the vill that none of them grind his grain outside of the domain so long as the mill of the lord prior is able to grind, under penalty of 20s.

Coupon, 1365. It is reported by the jury that Thomas son of Richard of Billingham staying at Melsonby and acting as common herdman there, is a *nativus* of the lord.

Newton Bewley, 1365. From John of Baumburg for his transgression aganst Adam of Marton, in calling hm false, perjured, and a rustic; to the loss of the same Adam of Marton 40d., penalty 13d.

Mid-Merrington, 1365. From Richard, son of Thomas, because he has not recalled his son from school * before the feast of St. Michael as enjoined upon him at the last Halmote, penalty 40d. It is enjoined upon all the tenants of the vill that none of them insult the pounder while fulfilling his duty, nor swear at him.

West Raynton, 1365. A day is given to all the tenants of the vill to make a law that neither they nor their wives nor their servants shall cut down anything within the woods, nor carry anything green away from the woods; each of them at the next court six-handed.

Coupon, 1365. From Agnes Postell and Alice of Belasis, for breaking the assize of ale, 12d. From Alice of Belasis, for bad ale, and moreover because the ale which she sent to the Terrar was of no strength, as was proved in court, 2s.

Ackley, 1365. It is ordained by common consent that no one permit colts, calves, young steers or any other animals within the field in which grain is sowed until the grain is cut and carried off, under penalty of half a mark.

Fery, 1365. It is ordained by common consent that Robert Todd should keep his sheep from feeding on the grain of his neighbors and on the cowpasture, under penalty of 40d.; and moreover that each tenant keep his pigs, cows, horses, and other animals from feeding on

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* Doubtless a villein who was violating the law by endeavoring to have his son trained to be a priest; see at Ackley, below.

the grain or treading it, and that the cottagers should keep their cattle within the common pasture, under the penalty foresaid.

Ackley, 1366. It is required of John, son of Thomas of Chilton, living at Coites that he recall his son from the schools before the feast of the Purification of the Virgin next.

West Merrington, 1367. It is enjoined on all the tenants of the vill that each of them cause to be plowed the outer parts of the field and then the inner parts, so that none of them . . . .* loss on account of lack of plowing.

Billingham, 1368. It is enjoined upon all the tenants of the vill that none of them cut the balks before the next court.

Coupon, 1368. John Pulter and Robert Fauks were elected ale-tasters, and were sworn.

Newton Bewley, 1368. From Alice, servant of Adam of Marton, for leyr, † 6d. From Thomas, servant of the same for drawing his knife to strike John Smith, penalty 40d., by grace 12d.

Wallsend, 1368. It is enjoined upon all the tenants of the vill that each of them come on the summons of the reeve to discuss the common business touching the profit of the vill.

Hesylden, 1368. From Robert, son and heir of John son of Matilda, as a heriot for 1 messuage and 20 acres of land which he holds freely, for homage, and fealty and service of 40d. and a heriot, viz. the best beast; 15s., and nothing for relief.

Monkton, 1369. Robert Jackson, *nativus* of the lord, made his fealty to the lord at Jarrow, Thursday next after the feast of St. Luke the Evangelist, in the 69th year.

Heworths, 1370. It is enjoined upon all the tenants of the vill that they have the common forge and the common oven repaired.

East Raynton, 1370. From Margaret daughter of Robert Wright for merchet, pledge, Alice, her mother, 2s.

Fery, 1370. From Margaret Ferywoman for leyr, 6d. From Adam Graundorge for his transgression made against Robert Letany by killing his cow to the loss of 7s. 3d. A day is given to the same Adam to make his law against Richard, son of Peter, that he has not broken the leg of his cow. At the next court, with six hands. He has not found a pledge. Therefore let the said Richard recover against him.

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* Manuscript illegible.

† Leyr was a fine imposed upon women who had been guilty of incontinence.

From Adam Graundorge for 1 cow of Richard, son of Peter, killed, to the loss of 10s., penalty 3d.

Wallsend, 1370. It is ordained by common consent that each tenant should come to the making of the hay of the common meadow when they shall be warned, under penalty of losing their part and even under penalty of heavy fine.

Harton, 1370. An inquisition was taken here Tuesday, the day after St. Simon's and St. Jude's day, A. D. 1370, before lord John of Heminburg, Terrar, and lord Thomas Surtays, Steward, for inquiring of what condition Adam Diotson and Roger Ward are, on the oath of John Wallas, 80 years old, Thomas Page, Richard of Hertlaw, John Dogeson, John Gray, John, son of Adam of Southwyk, Thomas, son of Alan, and John Reid. Who say on their oath that a certain John Ward, grandfather of the aforesaid Roger Ward, and John Ward, father of the same Roger, were of old held to be *nativi* of the lord Prior, and never did they hear the contrary till this day. And they say that a certain Thomas Maymond, grandfather of the aforesaid Adam, and John, father of the aforesaid Roger, were brothers by the same father and mother, and they say that the aforesaid Adam and Roger are of the same servile condition as their ancestors were and never did they hear the contrary.

East Raynton, 1370. Lease of the manor. John Freman, Robert of Coldingham, Elias Pater-Noster, and Thomas Gibson have taken the demesne lands with their buildings, to have and to hold for the term of 15 years, paying yearly at the treasury 8 marks, and to the Terrar half a mark, commencing payment at the feast of Pentecost, A. D. '71. And they found 54 acres of one cultivation; and they will manure 10 acres in each year. And they will return the buildings and land in proper condition because they so received them. Pledges, each of the other, and others of the vill who work part of it on lease from John Freman and his said companions. And they will grind the grain from the said demesnes at the mill of the Prior in the same way as it is ground from the lands of the other tenants.

Mid-Merrington, 1371. It is enjoined on all the cotters and laborers that they work with the farmer of the manor for suitable wages.

Newton-Bewley, 1371. William Raynald was elected to the office of reeve, and was sworn.

Billingham, 1374. Fealty of a *nativus* taken. Robert, son of Eustace Fristerlying of Hesilden, *nativus* of the lord came here on

Thursday, the feast of Pope Clement, A. D. '74, in the presence of lord John of Berington, Terrar, Alan of Billingham, John of Elvet, Hugh of Corbrigg, and several other tenants of Billingham, Wolveston, Newton, and Coupon, and swore, touching the sacred gospels, that he will be under the jurisdiction of the lord Prior and Convent of Durham and their officers, in his body and his goods, and that he will not remove himself from their land, etc.

Southwyk, 1374. From Robert Smith because he would not sit down at the command of the Steward. Robert Smith took one holding which was last in the tenure of William, son of Henry, to have and hold for the term of his life, paying yearly for all things, viz. for services and other different things, 30s.

East Merrington, 1367. It is reported by the oath of (fourteen names) in the presence of lord Robert of Wallworth, prior, and many others that Robert, son of Nicolas, who now is called Tomson is free and of free condition and free status, and not a *nativus* of the said lord Prior.

Ackley, 1376. John Tailor has come and taken 12 acres of land with the meadow pertaining to the said 12 acres of land, lately in the tenure of William Ibbi and leased by the said William to the said John with the license of the prior; to have and hold for the term of his life; paying annually 12s. Fine 3s.

Hesilden, 1376. It is ordained by common consent that all things collected within the field, as well as herbage, be carried openly through the middle of the vill and not behind the gardens, in secret. It is enjoined upon all the women of the vill that they restrain their tongues and that they do not quarrel nor swear at any one.

Dalton, 1376. From Joanna, wife of William Smith, for merchet 12d. From Margaret, servant of the former, for leyr with two men, 12d. From the wife of John Dawson, for breaking the assize of ale 6d.

Wolveston, 1376. William May, *nativus* of the lord has taken 30 acres of land with the crop; viz., 5 acres of wheat, price per acre 10s., 3 acres of peas and beans and 4 acres of oats, price per acre 5s. The same William held these before and on account of his incapacity they were seized into the hand of the lord; to have and to hold at the will of the lord, paying the ancient rent.

Billingham, 1378. It is ordained by common consent that at the blowing of the horn of the Reaper, they should come for the gathering of the peas, and when he blows his horn again they all withdraw from

the said peas, under penalty of 6d.; and moreover that no one collect except in his own place, unless he is poor.

West Raynton, 1378. A day is given to that vill that they inquire and present whether John Hunting and Cecilia his wife beat Margaret the widow or not, at the next court, under penalty of half a mark. From John Hunting because he did not close his front, so that his animals trampled and destroyed the cabbages of Margaret the widow.

Billingham, 1379. It is ordained by common consent that no one in the time of harvest should have in the day time more than one horse in the grain, for carrying his food, and that at night he should remove the said horse from the grain, under penalty of 4d.; and similarly that no one carry off the grain of another, under the same penalty.

Monkton, 1379. It is enjoined upon Thomas Lame that he cause to be rebuilt before the feast of St. Michael, a barn which was burned in his tenure, under penalty of 40s.

Pittyngton, 1379. It is enjoined upon all the tenants of the vill that they heat up the oven, each one of them when his turn shall come, under penalty of paying 12d.

East Merrington, 1381. It is ordained by common consent that each tenant should keep the animals when his turn comes, and for the day in which he has their custody, he should respond and give satisfaction for injuries made in the grain or herbage to the one or ones who have had the losses, under penalty of paying 4d.

Fery, 1383. It is enjoined upon all the tenants of the vill that they should have boundary marks, under penalty of half a mark, and moreover that they should pay the common shepherd his wages, and that they should not speak ill to the said shepherd, under penalty of 40d.

IV. THE MANOR HOUSE AT CHINGFORD, ESSEX, A. D. 1265.

Hist. Mss. Commission Reports 9. 1. pp. 35–6.

The manor of Chingford was granted by the Chapter of St. Paul's Cathedral, London, in 1265, to their Treasurer, Robert le Moyne. In the description of the manor and its contents the receipt of which he acknowledged, the following description of the manor buildings is given.

He received also a sufficient and handsome hall well ceiled with oak. On the western side is a suitable bed, on the ground, a stone chimney, a wardrobe and a certain other small chamber; at the eastern end is a pantry and a buttery. Between the hall and the chapel is a side-

room. There is a decent chapel covered with tiles, a portable altar, and a small cross. In the hall are four tables on trestles. There are likewise a good kitchen well covered with tiles, with a furnace and ovens, one large, the other small, for cakes, two tables, and alongside the kitchen a small house for baking. Also a new granary covered with oak shingles, and a building in which the dairy is contained, though it is divided. Likewise a chamber suited for clergymen and a necessary chamber. Also a hen-house. These are within the inner gate.

Likewise outside of that gate are an old house for the servants, a good stable, long and divided, and to the east of the principal building, beyond the smaller stable, a solar for the use of the servants. Also a building in which is contained a bed; also two barns, one for wheat and one for oats. These buildings are enclosed with a moat, a wall, and a hedge. Also beyond the middle gate is a good barn, and a stable for cows and another for oxen, these old and ruinous. Also beyond the outer gate is a pigstye.

V. MANUMISSION OF A VILLEIN.

Dugdale's Monasticon, I, 394.

To all the faithful of Christ to whom the present writing shall come, Richard by the divine permission abbot of Peterborough and the convent of the same place, eternal greeting in the Lord. Let all know that we have manumitted and liberated from all yoke of servitude William, the son of Richard of Wythington whom previously we have held as our born bondman, with his whole progeny and all his chattels, so that neither we nor our successors shall be able to require or exact any right or claim in the said William, his progeny, or his chattels. But the same William with his whole progeny and all his chattels will remain free and quit and without disturbance, exaction, or any claim on the part of us or our successors by reason of any servitude, forever. We will moreover and concede that he and his heirs shall hold the messuages, land, rents and meadows in Wythington which his ancestors held from us and our predecessors, by giving and performing the fine which is called merchet for giving his daughter in marriage and tallage from year to year according to our will—that he shall have and hold these for the future from us and our successors freely, quietly, peacefully, and hereditarily, by paying thence to us and our successors

yearly 40s. sterling, at the four terms of the year, namely; at St. John the Baptist's day, 10s., at Michaelmas, 10s., at Christmas, 10s., and at Easter, 10s., for all service, exaction, custom, and secular demand; saving to us nevertheless attendance at our court of Castre every three weeks, wardship and relief, and outside service of our lord the king, when they shall happen. And if it shall happen that the said William or his heirs shall die at any time without an heir, the said messuage, land, rents, and meadows with their appurtenances shall return fully and completely to us and our successors. Nor will it be allowed to the said William or his heirs the said messuage, land, rents, meadows, or any part of them to give, sell, alienate, mortgage, or in any way encumber by which the said messuage, land, rents, and meadows should not return to us and our successors in the form declared above. But if this should occur later their deed shall be declared null and what is thus alienated shall come to us and our successors. In testimony of which duplicate seals are appended to this writing, formed as a chirograph, for the sake of greater security. These being witnesses, etc. Given at Borough, for the love of lord Robert of good memory, once abbot, our predecessor and maternal uncle of the said William, and at the instance of the good man brother Hugh of Mutton, relative of the said abbot Robert; A. D. 1278, on the eve of Pentecost.

An admirable bibliography of manorial documents is given in Miss F. G. Davenport's "Classified List of Printed Original Materials for English Manorial and Agrarian History," prepared under the supervision of Prof. W. J. Ashley of Harvard University, and published by that University as Radcliffe College Monographs, No. 6. Numerous references are also given in Ashley's English Economic History, Vol. I, pp. 3–5.

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VOL. III. THE PRE-REFORMATION PERIOD. No. 6.

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I. EARLY CONSCIOUSNESS OF ABUSES IN THE CHURCH.

Those who study the Protestant Revolt sometimes forget that it was not left for Luther first to point out the abuses in the Church. The verses given below show how general was the discontent with the conduct of the ecclesiastical officials and how outspoken the criticism of them from the pope down, which may be found in the popular literary productions of England, France, and Germany in the twelfth, thirteenth, and fourteenth centuries.

(1) The first extracts are from a poem not improbably composed by a very clever churchman, Walter Mape or Mapes, who was a member of the literary circle which Henry II. of England gathered about him. It is but one of a great number of Latin poems originating at the same period, "remarkable chiefly for pungency of satire or sprightliness of composition." They were the work of university men, and show us that the Church never succeeded in checking, at least among the educated, the most open and scornful strictures upon the clergy.

The poet is represented as caught up into heaven, where he sees visions suggested by the Apocalypse of St. John. The translation here given is one made under Elizabeth or a little later.

(2) The second extract is by a celebrated German poet who was probably somewhat younger than his contemporary, Mapes, and wrote at the very end of the twelfth or the opening of the thirteenth century.

(3) The last example of acrid criticism comes from France, and belongs to a period a hundred or more years later than the first two. The author was Raimon de Cornet.

1. THE REVELATION OF GOLIAS THE BISSHOPPE.

From the Latin poems attributed to Walter Mapes, edited by Thomas Wright, Camden Society's Publications, London, 1841, pp. 271 sqq.

[After a burst of thunder a "goodlie personage" appears and bids the poet "Marke well and undirstand."]

And when he had thus done he did bringe out a booke,
Whiche booke had titles seven, and seven sealles sealled well,
And withe a stedfast eye badde me therein to looke,
And se therbie what I to all the world should tell.

Of bisshopes' life and trade, this book hathe right good skill,
As by the sealles thereof more plainlie dothe appeare,
For in the inner part is hidd all that is ill,
But to the outeward shewe all godlie thinges appeare.

Anon a certaine power there was that opened cleare
The formost chapter's seale, and then I did espie
Foure beasts, whose shape eche one unlike to other were,
But nothinge yet at all in gesture contrarie.

The first of theise four beasts a lion semde to be,
The secund like a caulfe, the third an eagle stout,
The fourthe was like a man; and they had wings to flie,
And full of eyen they were, and turnd like wheeles about.

And when unclosed was the first sealles knotte anon,
And I perused well the chapter thorough cleare,
And aftir that I bent my whole sight thereupon,
Whereof the title was as here it may appeare.

The lion is the Pope, that useth to devoure,
And laiethe his bookes to pledge and thirsteth aftir gold,
And dothe regard the marke, but sainct Marke dishonor,
And while he sailes alofte on coyne takes anker holde.

And to the Bisshoppe in the caulfe that we did se,
For he dothe runne before in pasture, feild, and fenne,
And gnawes and chewes on that where he list best to be,
And thus he filles himselfe with goodes of other men.

Th' Archdeacon is likewise the egell that dothe flie,
A robber rightlie cald, and sees a-farre his praie,
And aftir it with speed dothe follow by and by,
And so by theft and spoile he leades his life awaie.

The Deane is he that hathe the face and shape of man,
Withe fraude, desceipt, and ſguile fraught full as he may be,
And yet dothe hide and cloke the same as he best can,
Undir pretence and shewe of plaine simplicitie.

And theis have winges to flye, eche one of these said foure,
Because they flye abrode, and lie about affaires,
And they have eyes eche one, because that everye houre
They looke about for gaine, and all that may be theires.

* * * * * *

Then boisterous wyndes arose, and earthequakes by and by
And there was harde a voice of thunder from above,
That sounded Ephata, which woorde dothe signifie
An openinge, and anon the fifthe seale did remove.

When I the chapter sawe I reade the preface than,
And there the life and trades of priestes I marked well,
Which doe dishonor God, that all thinges first beganne,
Whiles for one penyes gaine the Trinitie they sell.

Full filthelie the priest dothe service celebrate
Withe voyce, and breathes on God his surfet's belchinge cheere;
And hathe twoo Latin names, but not bothe of one rate,
Sacerdos is the one, the other's Presbiter.

He cannot brooke as well Sacerdos name by right,
For by the other name men ought to call him more,
When he gives holie thinges then he Sacerdos hight,
But Presbiter when he hathe drunck well thrise before.

He is more bolde to synne, because he heares in Lent
The people's greivous crymes, and all their synnes at large,
And all the faultes for whiche they ought for to be shent,
And thus he countes his owne to be of smallest charge.

* * * * * *

[The doings of abbots and monks are next revealed to the poet.]

And when the Abbat dothe amonge his bretheren suppe,
Then tossed are the cuppes with quaffinge to and froe,
And then with bothe his handes the wine he holdeth uppe,
And with a thunderinge voice these wordes he doth out blowe:

"O how muche glorious is the lordes lamp so bright,
The cuppe in strong man's hande, that makes men druncke I meane.
O Baccus, god of wyne! our covent guyde aright,
Withe fruict of Daviddes stocke to wash us thoroughlie cleane."

And aftir this the cuppe he takethe from the breade,
And cryes alowde, "Ho! sires, can yow as well as I
Drincke this cuppe in his kind that I lift to my heade?"
They answer, "Yea, we can," then goe to by and by.

* * * * * *

Then of a moncke a right demoniacke is made,
And everie moncke dothe chatte and jangle with his brother,
As popingaye or pie, the which are taught this trade,
By filling of their gorge, to speake one to an other.

Their order to transgresse, thei have but small remorce,
  By fraude and perjurie, by missreport and spite,
By gredines of mynde, withholdinge thinges by force,
  By filling of their pawnches, and fleshlie fowle delight.

Wurse than a moncke there is no feende nor sprite in hell,
  Nothinge as covetuouse nor more straunge to be knowen,
For yf yow give him ought, he maie possesse it well,
  But if you aske him ought, then nothinge is his owne.

2. WALTER VON DER VOGELWEIDE ON THE PRACTICES OF THE POPES.

Mr. Henry C. Lea's version, in his "History of the Inquisition," Vol. I., pp. 54–55.

St. Peter's chair is filled to-day as well
  As when 'twas fouled by Gerbert's sorcery *;
For he consigned himself alone to hell,
  While this pope thither drags all Christentie.
Why are the chastisements of Heaven delayed?
  How long wilt thou in slumber lie, O Lord?
Thy work is hindered and thy word gainsaid,
  Thy treasurer steals the wealth that thou hast stored.
Thy ministers rob here and murder there,
  And o'er thy sheep a wolf has shepherd's care.

3. RAIMON DE CORNET'S DESCRIPTION OF THE ABUSES IN THE CHURCH.

Mr. Lea's version, in his "History of the Inquisition," Vol. I., pp. 55–56.

I see the pope his sacred trust betray,
For while the rich his grace can gain alway,
  His favors from the poor are aye withholden.
He strives to gather wealth as best he may,
Forcing Christ's people blindly to obey,
  So that he may repose in garments golden.
The vilest traffickers in souls are all
His chapmen, and for gold a prebend's stall
  He'll sell them, or an abbacy or mitre.
And to us he sends clowns and tramps who crawl
Vending his pardon briefs from cot to hall—

* The famous scholar and friend of kings and emperors, Gerbert, became pope in 999, assuming the name Sylvester II. His learning caused him to be suspected of sorcery.

Letters and pardons worthy of the writer,
Which leaves our pokes, if not our souls, the lighter.

No better is each honored cardinal.
From early morning's dawn to evening's fall,
Their time is passed in eagerly contriving
To drive some bargain foul with each and all.
So if you feel a want, or great or small,
Or if for some preferment you are striving,
The more you please to give the more 'twill bring,
Be it a purple cap or bishop's ring.
And it need ne'er in any way alarm you
That you are ignorant of everything
To which a minister of Christ should cling,
You will have revenue enough to warm you—
And, bear in mind, the lesser gifts won't harm you.

Our bishops, too, are plunged in similar sin,
For pitilessly they flay the very skin
From all their priests who chance to have fat livings.
For gold their seal official you can win
To any writ, no matter what's therein.
Sure God alone can make them stop their thievings.
'Twere hard, in full, their evil works to tell,
As when, for a few pence, they greedily sell
The tonsure to some mountebank or jester,
Whereby the temporal courts are wronged as well,
For then these tonsured rogues they cannot quell,
Howe'er their scampish doings may us pester,
While round the church still growing evils fester.

Then as for all the priests and minor clerks,
There are, God knows, too many of them whose works
And daily life belie their daily teaching.
Scarce better are they than so many Turks,
Though they, no doubt, may be well taught—it irks
Me not to own the fulness of their teaching—
For, learned or ignorant, they're ever bent
To make a traffic of each sacrament,
The Mass's holy sacrifice included;

And when they shrive an honest penitent,
Who will not bribe, his penance they augment,
For honesty should never be obtruded—
But this, by sinners fair, is easily eluded.

'Tis true the monks and friars make ample show
Of rules austere which they all undergo,
But this the vainest is of all pretences.
In sooth, they live full twice as well, we know,
As e'er they did at home, despite their vow,
And all their mock parade of abstinences.
No jollier life than theirs can be, indeed;
And specially the begging friars exceed,
Whose frock grants license as abroad they wander.
These motives 'tis which to the Orders lead
So many worthless men, in sorest need
Of pelf, which on their vices they may squander,
And then, the frock protects them in their plunder.

II. HERESY AND THE INQUISITION, XIII. AND XIV. CENTURIES.

Nothing is more difficult for the student in our tolerant, if not indifferent age, than to understand the universal and deeply rooted horror of heresy which prevailed not only during the thirteenth and fourteenth centuries, but down, at least, to the eighteenth century. Heresy was treason against an institution which was regarded by practically the whole body of the people, both learned and unlearned, as not only essential to the salvation of the soul but as a necessary bulwark of all order and civilization. Frank criticism of the abuses of the Church has prevailed among the more conscientious and cultivated classes from the first. But it must be remembered that a consciousness of the wickedness of the individual officers of the Church, including even the pope himself, did not constitute heresy, any more than a criticism of the administration of a corrupt municipal "ring" constitutes a repudiation of government altogether. Many still hold that the "incendiary" propaganda of an anarchist should be checked. So it was generally agreed that the treason of a Wycliff or a Huss against God and His holy church on earth should be met by the prompt execution of the offender. The following documents show how cordially the temporal rulers co-operated with the church in the detection and punishment of what was looked upon as the most horrible of all crimes. The legislation here given covered the greater part of western Europe, and was drawn up under the auspices of its most

enlightened rulers. The simple monk,* the theologian, the monarch, the finished scholar like Petrarch, all express the same horror of this offense.

1. THE BODY OF A BURNT HERETIC TURNS INTO TOADS.

Lucae Tudensis Episcopi De Altera Vita, lib. III., chap. 15, in Magna Bibliotheca Veterum Patrum (Ed. Coloniae Agrippinae, 1618): vol. xiii., p 283. Latin.

From the lips of the same brother Elias, a venerable man, I learned that when certain heretics were scattering the virulent seeds of error in parts of Burgundy, both the Preaching Friars and the Minorites drew the two-edged sword of God's word against these same heretics, opposing them valiantly until they were finally taken by the magistrate of the district. He sent them to the fiery stake as they merited, in order that these workers of iniquity should perish with their wickedness as a wholesome lesson to others. Quantities of wood having been supplied in plenty to feed the flames, suddenly a toad of wonderful size, which is sometimes called *crapaldus*, appeared, and without being driven betook itself of its own accord into the midst of the flames. One of the heretics, who was reported to be their bishop, had fallen on his back in the fire. The toad took his place on this man's face and in the sight of all ate out the heretic's tongue. By the next day his whole body, except his bones, had been turned into disgusting toads, which could not be counted for their great number. The inhabitants, seeing the miracle, glorified God and praised Him in His servants, the preaching monks, because the Lord had, in His mercy, delivered them from the horror of such pollution. God omnipotent surely wished to show through the most unseemly and filthiest of animals, how foul and infamous are the teachings of heretics, so that all might thereafter carefully shun the heretic, as they would the poisonous toad. Just as among four-footed creatures the toad is held the foulest, so the teachings of the heretic are more debased and filthy than those of any other religious sect. The blindness of heresy justifies the perfidy of the Jews. Its pollution makes the madness of the Mohammedans a pure thing in contrast. The licentiousness of the heretics would leave Sodom and Gomorrah stainless. What is held most enormous in crime, becomes most holy, when compared with the shame and ignominy of heresy. Thus, Dear Christian, flee this unspeakable evil, in comparison with which all other crimes are as trifles.

* See a diverting tale by Cæsar Heisterbach to illustrate this in Translations and Reprints, Vol. II., No. 4, "Monastic Tales," pp. 9 *sq.*

2. DESCRIPTION OF THE ALBIGENSES.

B. Guidonis, Pratica Inquisitionis Heretice Pravitatis, Pars V., Chap. I., Sec. 4. Latin.

It would take too long to describe in detail the manner in which these same Manichean heretics preach, and teach their followers, but it must be briefly considered here.

In the first place they usually say of themselves that they are good Christians, who do not swear, or lie, or speak evil of others; that they do not kill any man or animal nor any thing having the breath of life, and that they hold the faith of the Lord Jesus Christ and His Gospel as Christ and His Apostles taught. They assert that they occupy the place of the apostles, and that on account of the above mentioned things those of the Roman Church, namely, the prelates, clerks and monks, persecute them, especially the Inquisitors of Heresy, and call them heretics, although they are good men and good Christians, and that they are persecuted just as Christ and his apostles were by the Pharisees.

They moreover talk to the laity of the evil lives of clerks and the prelates of the Roman Church, pointing out and setting forth their pride, cupidity, avarice and uncleanness of life and such other evils as they know. They invoke with their own interpretation and according to their abilities the authority of the Gospels and the Epistles against the condition of the prelates, churchmen and monks, whom they call Pharisees and false prophets, who say but do not.

Then they attack and vituperate, one after the other, all the sacraments of the church, especially the sacrament of the Eucharist, saying that it cannot contain the body of Christ, for had this been as great as the largest mountain Christians would have consumed it entirely before this. They assert that the host comes from straw, that it passes through the tails of horses, to wit, when the flour is cleaned by a sieve [of horse hair]. That moreover it passes through the body and comes to a vile end which, they say, could not happen if God were in it. Of baptism, they assert that water is material and corruptible, and is therefore the creation of the Evil Power and cannot sanctify the soul, but that the churchmen sell this water out of avarice, just as they sell earth for the burial of the dead, and oil to the sick when they anoint them, and as they sell the confession of sins as made to the priests. Hence, they claim that confession made to the priests of the Roman Church is useless, and that, since the priests may be sinners,

they can not loose nor bind, and being unclean themselves, cannot make another clean. They assert, moreover, that the Cross of Christ should not be adored or venerated, because, as they urge, no one would venerate or adore the gallows upon which a father, relative or friend had been hung. They urge farther that they who adore the cross ought for similar reasons to worship all thorns and lances, because as Christ's body was on the cross during the passion so was the crown of thorns on his head and the soldier's lance in his side. They proclaim many other scandalous things in regard to the sacraments. They, moreover, read from the Gospels and the Epistles in the vulgar tongue, applying and expounding them in their favor and against the condition of the Roman Church in a manner which it would take too long to describe in detail, but all that relates to this subject may be read more fully in the books they have written and infected, and may be learned from the confessions of such of their followers as have been converted.*

3. PETRARCH'S DESCRIPTION OF THE AVERROISTS.

Opera Omnia (Basle, 1581), Epistolae rerum senilium, Lib. V., III. Latin.

How are we to deal with another monstrous kind of pedant who wears a religious garb, but is most profane in heart and conduct, he who would have us believe that Ambrose, Augustine and Jerome were ignoramuses, for all their wordy treatises? I do not know the origin of these new theologians, who do not spare the great teachers and will soon cease to respect the Apostles and the Gospel itself. They will soon turn their impudent tongues even against Christ, unless He whose cause is at stake interferes to curb the raging beasts. For it has already become a well established habit with these fellows to express their scorn by a mute gesture or by some impious observation whenever revered names or sacred subjects are mentioned. "Augustine," they will say for example, "saw much, but understood little." Nor do they speak less insultingly of other great men.

Recently one of these philosophers of the modern stamp happened to be in my library. He did not, it is true, wear the habit of a churchman, but, as we know, the real Christian is known by his belief. He was one of those who think that they live in vain unless they are con-

* The reader will find a most interesting extract from the Archives of the Inquisition at Carcassonne in Lea's "Inquisition", Appendix to Vol. I., where the reasons are given which were customarily advanced by the Albigenses (Cathari) for attributing the Old Testament to the inspiration of the Evil Principle.

stantly snarling at Christ or his divine teachings. When I cited some passage or other from the Holy Scriptures, he exploded with wrath, and with his face, naturally ugly, still further disfigured by anger and contempt, he exclaimed, "You are welcome to your two-penny church fathers; as for me, I know the man for me to follow, for *I know him whom I have believed.*" * "But," I replied, "you use the words of the Apostle; would that you would take them to heart!" "Your Apostle," he answered, "was a sower of words and a lunatic." "You reply like a good philosopher," I said. "The first accusation was brought against him by other philosophers and the second to his face, by Festus, governor of Syria. He did indeed sow the word with such success that, cultivated by the beneficent plow of his successors, and watered by the holy blood of the martyrs, it has borne such an abundant harvest of faith as all may behold." At this he burst forth into a sickening roar of laughter. "Well, be a good Christian! † as for me I put no faith in all that stuff. Your Paul and your Augustine and all the rest of the crowd you preach about, were a set of babblers. If you could but digest Averroes you would quickly see how far superior he was to these empty-headed fellows." I was very angry, I must confess, and could scarcely keep from striking his filthy, blasphemous mouth. "It is the old feud between me and the heretics of your class. You may go," I cried, "—you and your heresy, never to return." With this I plucked him by the gown and, with a want of ceremony less in consonance with my habits than his own, hurried him out of the house.

There are thousands of instances of this kind where nothing will prevail—neither the majesty of the Christian name, nor the reverence for Christ himself, whom the angels fall down and worship, though weak and depraved mortals may insult Him; not even the fear of punishment or the armed inquisitors of heresy. Prison and stake are alike impotent to restrain the impudence of ignorance and the audacity of heresy.

Such are the times, my friend, upon which we have fallen; such is the period in which we live and are already growing old. Such are the judges against whom I have so often inveighed, who are innocent of knowledge or virtue, and yet harbor the most exalted opinion of them-

* II. Timothy i., 12.

† Luther reports that one who looked with disapprobation upon the vices of the churchmen was called "Bon Christian" in Italy.

selves. Not content with losing the works of the ancients, they must attack their ability and their ashes. They rejoice in their ignorance, as if what they did not know were not worth knowing. They give full reign to their unlicensed and conceited spirits and freely introduce among us new authors and outlandish teachings.

4. FROM THE CONSTITUTIONS OF THE KINGDOM OF SICILY.

Historia diplomatica Frederici Secundi, ed. Huiliard-Bréholles, Tom. IV., Part I., pp. 5, sq. Latin.

TITLE I. B.

Concerning Heretics and Patarins.

The heretics endeavor to rend the seamless garment of our Lord, and in accordance with their vicious name, which means division, they would destroy the unity of that same indivisible faith. They would withdraw the sheep from Peter's guardianship, to which they were entrusted by the Good Shepherd. They are ravening wolves within, but feign a love for the flock, until they shall have crept into the Lord's fold. They are bad angels, sons of perversity, appointed by the father of lies and deception to mislead the simple minded. They are serpents who deceive the doves. Like serpents they creep stealthily abroad; with honeyed sweetness they vomit forth their virus. While they pretend to offer life-giving food, they strike with their tail, and prepare a deadly draught, as with some dire poison. These sects do not assume the old names, lest they should be recognized, but, what is perhaps more heinous, not content like the Arians, who took their name from Arius, or the Nestorians, from Nestorius, and others of the same class, they must imitate the example of the martyrs who suffered death for the catholic faith. They call themselves Patarins, as if they, too, were *sufferers*.* These same wretched Patarins, who refuse to accept the holy belief in the eternal Trinity, combine three offences in their wickedness. They offend God, their neighbor and themselves,—God, since they refuse to place their faith in Him or recognize His Son; their fellow-men since they deceive them by offering them the seductions of a perverse heresy under the form of spiritual nurture. Against themselves they rage even more fiercely,

* The name, which seems here to be derived from *patior*, to suffer, appears to have been given to the Milanese Cathari, because they lived among the rag-pickers or *Patari*. Cf. Lea's "History of the Inquisition," I., 114.

for, prodigal of life and careless of death, in addition to the sacrifice of their souls, they involve their bodies in the toils of a horrible end, which they might avoid by acknowledging the truth and adhering to the true faith. What is worst of all, the survivors are not terrified by such examples.

Against these who offend alike against God, themselves and their fellow-men, we cannot restrain ourselves and must draw forth the sword of merited retribution. We pursue them the more closely, inasmuch as they are known, to the obvious prejudice of the Christian faith, to extend the crimes of their superstition toward the Roman Church, which is regarded as the head of all other churches. Thus from the confines of Italy, especially from parts of Lombardy, where we are convinced that their wickedness is widespread, we now find rivulets of their perfidy reaching even to our kingdom of Sicily. Feeling this most acutely, we decree, in the first place, that the crime of heresy and of reprehensible teaching of whatever kind, by whatever name its adherents may be known, shall, as provided by the older laws, be included among the recognized crimes. (For, should not what is recognized to be an offence against the Divine Majesty be judged more terrible than the crime of lese-majesty directed against ourself, although in the eyes of the law one is not graver than the other?) As the crime of treason deprives the guilty of life and property, and even blackens the memory of the dead, so in the aforesaid crimes of which the Patarins are guilty, we wish the same rules to be observed in all respects. And in order that the wickedness of those who walk in darkness, since they do not follow God, should be thoroughly exterminated, we wish those who practice this class of crimes should, like other malefactors, be diligently sought for and hunted out by our officers. If such be discovered, even if there be only the slightest suspicion of their guilt, we command that they shall be examined by churchmen and prelates. If they shall be discovered by these to have deviated from the Catholic faith, even in a single respect, and if, when admonished by such churchmen in their function of pastors, they refuse, by leaving the wiles of the devil, to recognize the God of light, and stubbornly adhere to their error, we command, by this our present edict, that such condemned Patarins shall suffer the death they court; that, condemned to the sentence of the flames, they shall be burned alive in the sight of the people. Nor are we loath to satisfy their cravings in this respect, for they only suffer the penalty

of their crime and reap no farther gain. No one shall dare to intercede with us for any such, and should any one presume to do this, we shall properly direct the darts of our indignation against him, too.

TITLE II.

*The emperor Frederick, concerning those who receive, adhere to or favor the Patarins, their accomplices or fautors.**

All who shall receive, trust, aid or abet the Patarins in any way, seeking to shield others from a penalty which they rashly do not fear for themselves, shall be deprived of all their goods and banished forever. Their sons shall thereafter be excluded from all honors whatsoever and shall be branded with perpetual disgrace. They shall not be permitted to act as witnesses in any case, but shall be rejected as infamous. But if any one of the sons of such harborers or fautors shall point out a Patarin, whose guilt shall be thus proven, he shall, by the imperial clemency, be freed from the opprobrium and restored to his full rights in view of the good faith which he has shown.

5. (a) FROM THE SACHSENSPIEGEL.

Der Sachsenspiegel, herausgegeben von Dr. J. Weiske (Fünfte Auf.), Buch 2, Art. 13, § 7. Old German.

Any Christian man who is an unbeliever, or who practices poisoning, and is convicted shall be burnt at the stake.

(b) FROM THE SCHWABENSPIEGEL.

Der Schwabenspiegel, herausg. von Wackernagel, pp. 241–3 (Cap. 258). Old German.

Concerning Heretics.

Where persons are believed to be heretics, they shall be accused before the spiritual court, for they should in the first place be tried by ecclesiastics. When they are convicted they shall be taken in hand by the secular court, which shall sentence them as is right; that is to say, they shall be burned at the stake. If, however, the judge protects them, or makes any illegal concessions and does not sentence them, he shall be excommunicated, and that in the most severe form. This shall be done by a bishop. The delinquent judge shall, moreover, be judged by his superior temporal judge, if he have one, as he himself should have

* The comprehensive Latin expression is *patarenorum receptoribus, credentibus, complicibus et fautoribus.*

judged the heretic. In case a feudal prince does not bring heretics to judgment, but protects them, the ecclesiastical court shall excommunicate him. If such prince does not yield within the space of a year, his bishop, who excommunicated him, shall report his evil deeds to the pope and the length of time he has remained excommunicated for the same. Then shall he [the pope] with propriety deprive him of his princely office and of all his dignities. The pope shall bring his sentence to the notice of his king and his other judges. These shall substantiate the sentence of the pope with their sentence. The offender shall be deprived of all his goods, his fiefs and all his worldly honors. Thus shall lords and poor men be judged. The fitness of this is thus shown.

There was once a pope at Rome called Zacharias. In his time there was a king of France called Lescandus who protected the heretics unlawfully. He was king before King Pippin, King Charles' father. Him the pope deposed from his kingship and from all his honors, and Pippin became king in his stead during his natural life. We read, too, that Pope Innocent deposed King Otto of the Roman Empire on account of his ill deeds. This the popes have a right to do, as God spake to Jeremiah, saying, "I have set thee over all the nations and over all the kingdoms to judge."

* * * * * * * *

6. (a) FROM AN EDICT OF SAINT LOUIS DIRECTED AGAINST THE HERETICS OF LANGUEDOC (1228).

Isambert, Recueil général des anciennes lois françaises, Vol. I., p. 233. Latin.

Moreover, since the keys of the church are often despised in that country [Languedoc], we command that excommunicated persons shall be avoided according to the canonical provisions, and that if any one shall contumaciously remain in a state of excommunication for a year, he shall be forced by material means * to return to the unity of the Church, in order that those who are not induced to leave their evil way by the law of God, may be brought back by temporal penalties. We therefore order that our bailiffs shall, after one year, seize all the property, both real and personal, of all such excommunicated persons. And on no account shall such property be in any way returned to such persons, until they have been absolved and have rendered satisfaction to the church, and then only by our special order.

* Isambert gives *spiritualiter* but approves the reading *corporaliter*.

(b) FROM THE ETABLISSEMENTS OF SAINT LOUIS.

Etablissements de Saint Louis (ed. Viollet), Livre I., Cap. 90. Old French.

If any one be suspected of heresy, the magistrate shall lay hold of him and send him before the bishop. If he be convicted, he shall be burned, and all his personal property shall revert to his lord.

7. (a) FORM OF OATH TAKEN UPON THE BOOK OF THE GOSPELS BY THE SENESCHALS AND MAGISTRATES OF THE LORD KING.

B. Guidonis Pratica Inquisitionis Pravitatis Heretice (ed. Douais), Paris, 1886, p. 87. Latin.

We, ****, a Seneschal and a *Vicarius* of Toulouse, and, ****, a judge in ordinary, (and so with other officials then present) swear by these holy Gospels of God, that we will hold to the faith of our Lord Jesus Christ and the holy Roman Church, and will cause it to be held, and will defend it with all our power against every one. We will likewise pursue, and take, and cause to be taken, wherever we can, all heretics with their adherents, aiders, abettors, helpers and defenders, as well as all fugitives on account of heresy. These aforesaid, if we know where they are to be found, or where any one of them is to be found, we will accuse and denounce to the Church and to the inquisitors. Moreover, we swear that we will not commit any bailliage, judicature, administrative or other public office, to any one of the pestiferous persons, nor will we permit any one to use or hold any public office who is suspected or defamed for heresy, or any one sentenced for the crime of heresy, or otherwise precluded by the inquisitors, or by law, from holding a public office. We will not receive anything from the aforesaid, nor have them in our family, or society, or service, or knowingly take council with them. If the contrary should result from ignorance, we will expel the aforesaid straightway, so soon as the matter shall be brought to our notice by the inquisitors of heresy, or others worthy of faith. In these things, and in all others which relate to the office of the inquisition for heresy, we will be obedient to God, the Roman Church, and the inquisitors of this same heresy. So help us God and these, His Holy Gospels.

(b) FORM OF RELAXATION TO THE SECULAR ARM.

B. Guidonis Pratica, etc., pp. 143, 144. Latin.

[After enumerating the errors of those to be sentenced, the writ continues:]

Since after salutary exhortations, ample refutations and a regular trial, the said A——, sinking to the lowest depths of evil, stubbornly and perversely persists in the said errors and doctrines, and defends them in the most obstinate and impudent fashion, clinging to them, and preferring to die in and for them, rather than leave his evil ways and return to the unity of the church, we, the aforementioned, having maturely considered and taken council in this matter with good men, expert in both systems of law, having called upon the name of Christ, and having before our eyes God only, the purity of the orthodox faith, and the unity of the holy Catholic Church, in the presence of such and such persons, and with the holy Gospels of the Lord before us, that our judgment may go forth before the face of the Lord and our eyes behold equity,—we, sitting as a tribunal, on the day and in the place especially assigned for passing judgment upon the said A——, by the authority in virtue of which we act, do by these presents, assert, and as the final sentence, pronounce and declare the said A—— to be a pestilential assertor of perverse doctrines, to be a rebel and opposed to the authority and power of the Catholic Church. We declare that he is, moreover, a manifest heretic and that, as an obstinate heretic, since the Church can, in view of his conduct, do nothing further for him, we do relinquish him to the arm and judgment of the secular court, affectionately requesting the said court, that they should so moderate their sentence as not to involve death or the mutilation of his members.

This sentence was given, etc.:

8. THOMAS AQUINAS ON "WHETHER HERETICS ARE TO BE TOLERATED."

Sancti Thomæ Aquinatis Summa Theologica, Sec. Secundæ, Quaest. XI., Art. III. Latin.

Proceeding to the third question. First. It would appear that heretics are to be tolerated, for the Apostle says (2 Tim. ii. 24), "*The Lord's servant must be gentle, in meekness, correcting them that oppose themselves to the truth; if peradventure God may give them repentance unto the knowledge of the truth, and they may recover themselves out of the snare of the devil.*" But if heretics are not tolerated but delivered over to death, they are deprived of the opportunity of repentance. Hence, this would seem contrary to the precept of the Apostle.

Second. Moreover, that which is necessary in the Church must be tolerated. But heresies are necessary in the Church. For the Apostle says (1 Corinthians xi. 19), "*For there must be also heresies among you*

that they which are approved may be made manifest among you." Therefore, it would seem that heretics are to be tolerated.

Third. Moreover, the Lord commands his servants (Matthew xiii.), that they should let the tares grow until the harvest, which is the end of the world, as is explained in the Interlinear Glossa. But the tares signify the heretics according to the interpretation of the saints. Therefore heretics are to be tolerated.

But against this is to be urged the saying of the Apostle (Titus iii. 10), "*A man that is heretical, after a first and second admonition, refuse, knowing that such a one is perverted.*"

I reply that heretics must be considered from two points of view, namely, as regards the heretic himself, and secondly, as regards the church. As for the heretics themselves, there is their sin for which they deserve not only to be separated from the Church by excommunication, but to be sent out of the world by death. It is, indeed, a much more serious offence to corrupt the faith, upon which depends the life of the soul, than to falsify coin, by means of which the temporal life is sustained. Hence, if counterfeiters and other malefactors are justly hurried to death by secular rulers, much the more may those who are convicted of heresy not only be excommunicated but justly put to a speedy death. But on the side of the Church, there is mercy looking for the conversion of the erring. She does not therefore condemn immediately, but only after a first and second admonition, as the Apostle teachès. Should the heretic still prove stubborn, the Church, no longer hoping for his conversion, shall provide for the safety of others by separating him from herself by a sentence of excommunication. She further relinquishes him to the secular judgment to be put out of the world by death.* Jerome also says (on the passage in Galatians v.—"*a little leaven;*"), and it is stated in 24. qu. 3, cap. 16,† "*Foul flesh must be cut away, and mangy sheep must be kept from the fold lest the whole house* ‡ *be burned, the whole mass corrupted, the*

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* The Latin seems unequivocal—*et ulterius relinquit eum judicio saeculari a mundo exterminandum per mortem.* Compare with the plea for mercy at the close of the form of sentence, given above, p. 17.

† A usual form of reference to the Canon law.

‡ Referring to a part of Jerome's sentence which the Angelic Doctor omits. Quotations are often incomplete, as in the opening one from second Timothy. It was assumed that the passages would be familiar to the reader and that it was unnecessary to give them in full.

whole body be destroyed. Arius was but a spark in Alexandria, but since this spark was not promptly quenched, the whole world has been devastated by the flames."

As to the first argument, * namely, that which relates to the meekness in which a heretic should be admonished a first and a second time, if, after that, he refuses to return he is looked upon as perverted, as appears from the authority of the Apostle above cited (in the argument beginning, *But against*).

As to the second argument, any advantage which may proceed from heretics is in no way intentional on their part, as, for example, the proof they furnish according to the Apostle of the constancy of the faithful, or, as Augustine says,—*Lib. I de gen., cont. Manich.* (Cap. I., about the middle) "*Let us put away all slothfulness, carefully searching the holy Scriptures.*" Their intention is, on the contrary, to corrupt the faith, and this is most harmful. We should, therefore, give more weight to those conscious aims which would cut them off, rather than the unintentional good which would seem to countenance their toleration.

To the third argument we may reply, as it is written in the Decretals, 24, qu. 3, Cap. beginning, *It is to be observed that excommunication is one thing and extirpation another.* One is excommunicated with a view, as the Apostle says (1 Con. v. 5), "*that the spirit may be saved in the day of the Lord.*" That heretics shall be totally extirpated by death is not however contrary to the command of God, for that command is to be understood as applying only in case the tares cannot be destroyed without destroying the wheat at the same time, as has been said in the preceding question, art. 8, argument 1, when we treated of heretics in common with infidels.

III. CHURCH AND STATE.

The problem of the relations between the Mediæval Church, which enjoyed many of the privileges, and exercised many of the functions, of a modern state, and the rudimentary Mediæval state which was destined to absorb many of the functions of the Church and to develop many new forms of activity,—this problem is to many scholars the most interesting of Mediæval history. The struggle between Philip the Fair of France and Boniface VIII., at the opening of the fourteenth century and, a little later, the efforts of the Emperor, Louis of Bavaria, to assert his claims against the opposition of the popes at Avignon, gave rise to a most important discussion of

* That is, the first argument in favor of toleration mentioned above.

the whole question of government. Peter du Bois (died about 1320) advocates (in his pamphlet *de Recuperatione Terre Sancte*) a system of international arbitration and a federation of the states of Europe under the headship of France, which should bring about a universal peace. Marsiglio of Padua wrote his enlightened treatise (*Defensor Pacis*) on the right of the state to be, and advocated the diminution of the powers and privileges of the clergy. Dante in his *De Monarchia*, espoused the cause of the Empire with equal warmth, if with much less insight. On the other side, we have, among others, the works of Trionfo (*de Potestate Papae*), where the most exaggerated claims of the Papacy were defended. This was repeatedly reprinted from 1473 to 1584, and was looked upon by the defenders of the papal supremacy during their struggle against the Protestant defection, as the most learned and effective defense of their position.

While the best analysis of the latter work is in the rare brochures of Friedberg, *Die Mittelälterlichen Lehren über das Verhältniss von Staat und Kirche*, the reader will find an excellent discussion in R. L. Poole's *Illustrations of Mediæval Thought*.

The two Papal bulls and the protest of the German Electors given below, are among the best brief official documents relating to this great struggle.

1. THE BULL UNAM SANCTAM OF BONIFACE VIII. (1302).

From the text given by Mury (Revue des Questiones Historiques, vol. 46, pp. 255, 256), based on the facsimile from the Papal Regesta. In Latin.

The bull Unam Sanctam, while an obscurely worded document, furnishes a convenient example of the reasoning of those who strove to exalt the papal power to the highest point. The theory of the two swords is taken from Saint Bernard (Epist. CCLVI.), other portions almost literally from Aegidius Romanus, a well known political writer of the time, who is supposed by some to have drafted the bull itself. The more comprehensive claims of the bull have been so attenuated by the official interpretation of succeeding popes that the claim directly to control the secular government is surrendered.

The present pope, Leo XIII., in an Encyclical, *Immortale Dei*, speaks of the relation between church and state as follows:—"God has divided the care of the human race between two powers, namely, the ecclesiastical and civil, assigning to the one divine interests, to the other human affairs. Each is the greatest of its kind; each is limited by definite bounds; controlled like some sphere, each acts according to its own laws. But because both have power over the same person it may come to pass that the same matter, although for different reasons, may be included within the scope and jurisdiction of both, and it is the part of a far-seeing God, by whom both powers have been established, to have accurately and fittingly determined the paths of each."

Although the authenticity of the bull has been questioned, it is recorded in the Papal Registers, is appended to the civil law in the *Extravagantes*, and was formally sanctioned by Leo X. in the Fifth Lateran Council. An interesting discussion of the bull and its origin is to be found in the *Revue des Questions Historiques* for 1879, vol. 26, pp. 91 ff.

That there is one Holy Catholic and Apostolic Church we are im-

pelled by our faith to believe and to hold—this we do firmly believe and openly confess—and outside of this there is neither salvation or remission of sins, as the bridegroom proclaims in Canticles, "My dove, my undefiled is but one; she is the only one of her mother; she is the choice one of her that bare her." The Church represents one mystic body and of this body Christ is the head; of Christ, indeed, God is the head. In it is one Lord, and one faith, and one baptism. In the time of the flood, there was one ark of Noah, pre-figuring the one Church, finished in one cubit, having one Noah as steersman and commander. Outside of this, all things upon the face of the earth were, as we read, destroyed. This Church we venerate and this alone, the Lord saying through his prophets, "Deliver my soul, O God, from the sword; my darling from the power of the dog." He prays thus for the soul, that is for Himself, as head, and also for the body which He calls one, namely, the Church on account of the unity of the bridegroom, of the faith, of the sacraments, and of the charity of the Church. It is that seamless coat of the Lord, which was not rent, but fell by lot. Therefore, in this one and only Church, there is one body and one head,—not two heads as if it were a monster—namely, Christ and Christ's Vicar, Peter and Peter's successor, for the Lord said to Peter himself, "Feed my sheep:" *my* sheep, he said, using a general term and not designating these or those sheep, so that we must believe that all the sheep were committed to him. If, then, the Greeks, or others, shall say that they were not entrusted to Peter and his successors, they must perforce admit that they are not of Christ's sheep, as the Lord says in John, "there is one fold, and one shepherd."

In this Church and in its power are two swords, to wit, a spiritual and a temporal, and this we are taught by the words of the Gospel, for when the Apostles said, "Behold, here are two swords" (in the Church, namely, since the Apostles were speaking), the Lord did not reply that it was too many, but enough. And surely he who claims that the temporal sword is not in the power of Peter has but ill understood the word of our Lord when he said, "Put up thy sword in its scabbard." Both, therefore, the spiritual and the material swords, are in the power of the Church, the latter indeed to be used for the Church, the former by the Church, the one by the priest, the other by the hand of kings and soldiers, but by the will and sufferance of the priest. It is fitting, moreover, that one sword should be under the other, and the temporal authority subject to the spiritual power. For

when the Apostle said, "there is no power but of God and the powers that are of God are ordained," they would not be ordained * unless one sword were under the other, and one, as inferior, was brought back by the other to the highest place.† For, according to the Holy Dionysius, the law of divinity is to lead the lowest through the intermediate to the highest. Therefore, according to the law of the universe, things are not reduced to order directly, and upon the same footing, but the lowest through the intermediate, and the inferior through the superior. It behooves us, therefore, the more freely to confess that the spiritual power excels in dignity and nobility any form whatsoever of earthly power, as spiritual interests exceed the temporal in importance. All this we see fairly from the giving of tithes, from the benediction and sanctification, from the recognition of this power and the control of these same things. For the truth bearing witness, it is for the spiritual power to establish the earthly power and judge it, if it be not good. Thus, in the case of the Church and the power of the Church, the prophecy of Jeremiah is fulfilled: "See, I have this day set thee over the nations and over the kingdoms"—and so forth. Therefore, if the earthly power shall err, it shall be judged by the spritual power; if the lesser spiritual power err, it shall be judged by the higher. But if the supreme power err, it can be judged by God alone and not by man, the apostles bearing witness saying, the spiritual man judges all things but he himself is judged by no one. Hence this power, although given to man and exercised by man, is not human, but rather a divine power, given by the divine lips to Peter, and founded on a rock for Him and his successors in Him [Christ] whom he confessed, the Lord saying to Peter himself, "Whatsoever thou shalt bind," etc. Whoever, therefore, shall resist this power, ordained by God, resists the ordination of God, unless there should be two beginnings, as the Manichaean imagines. But this we judge to be false and heretical, since, by the testimony of Moses, not in the *beginnings*, but in the *beginning*, God created the heaven and the earth. We, moreover, proclaim, declare

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* I. e., disposed in an orderly manner.

† Mr. Henderson suggests (Select Hist. Documents, 436) "were guided by the other to the performance of the most exalted deeds." This is, at least, intelligible, while the literal translation here given and the numerous French and German renderings cited by Mury, Revue des Questions Historiques, vol. 26, pp. 107, 108, are none of them clear.

and pronounce that it is altogether necessary to salvation for every human being to be subject to the Roman Pontiff.*

Given at the Lateran the twelfth day before the Kalends of December, in our eighth year, as a perpetual memorial of this matter.

2. THE BULL CLERICIS LAICOS (1296).

Rymer's Foedera, (ed. 1727), Vol. II., pp. 706, 707. Latin.

This declaration of the papacy antedates the preceding bull by some six years. It is much more specific than *Unam Sanctam*, dealing especially with the asserted exemption of the clergy from taxation and secular jurisdiction. A struggle between the papacy and the temporal rulers as to the proportion of the vast income of the Church which each should enjoy was inevitable. The extensive enterprises of Philip the Fair of France and Edward I. of England led them to apply to the clergy for a part of the revenue necessary to meet the public expenses; Edward demanded one-fifth of their personal property in 1296; Philip exacted a one-hundredth, then one-fiftieth of the possessions of clergy and laymen alike. Against this impartial system, which bore on all classes alike, Boniface issued the bull given below. But Philip had at the same period issued a decree forbidding the exportation, without his express consent, of the precious metals, thus cutting off the papal supplies. Two years later the pope greatly modified the claims of the bull, by admitting the legitimacy of the *dons gratuits*, or free gifts of the clergy, to the king, and even of extraordinary aids which could, in case of urgent necessity, be collected without waiting for the papal consent.

Bishop Boniface, servant of the servants of God, in perpetual memory of this matter. Antiquity shows us that the laity has always been exceeding hostile to the clergy; and this the experience of the present time clearly demonstrates, since, not content with their limitations, the laity strive for forbidden things and give free reign to the pursuit of illicit gain.

They do not prudently observe that all control over the clergy, as well as over all ecclesiastical persons and their possessions, is denied them, but impose heavy burdens upon the prelates of the churches, upon the churches themselves, and upon ecclesiastical persons both regular and secular, exacting talliages and other contributions from them. From such persons they require and extort the payment of a half, a tenth, a twentieth or some other quota of their property or income, and strive in many other ways to subject the churchmen to slavery and bring them under their control.

* This famous concluding sentence has been robbed of all political significance by the interpretation of Leo X., who declared that "*every human being*" meant "*all Christian believers*," which reduces the meaning to a commonplace of Catholic theology.

And (with grief do we declare it) certain prelates of the churches and ecclesiastical persons, fearing where they ought not to fear, and seeking a temporary peace, dreading to offend a temporal more than the eternal majesty, do, without having received the permission or sanction of the Apostolic See, acquiesce in such abuses, not so much from recklessness, as want of foresight. We, therefore, desiring to check these iniquitous practices, by the council of our brothers, do, of our apostolic authority, decree that whatever prelates and ecclesiastical persons, whether monastic or secular, whatever their order, condition or status, shall pay, or promise or agree to pay to laymen, any contributions or talliages, tenths, twentieths, or hundredths of their own, or their churches' revenues or possessions, or shall pay any sum, portion or part of their revenues or goods, or of their estimated or actual value, in the form of an aid, loan, subvention, subsidy or gift, or upon any other pretense or fiction whatsoever, without authority from this same Apostolic See,—likewise emperors, kings and princes, dukes, counts, barons, podestà, captains, officers, rectors, whatever their title, of cities, castles or other places wherever situated, or any other persons, whatever their rank, condition or status, who shall impose, exact or receive such payments, or who shall presume to lay hands upon, seize or occupy the possessions of churches or the goods of ecclesiastical persons deposited in the sacred edifices, or who shall order such to be seized or occupied, or shall receive such things as shall be seized or occupied,—likewise all who shall consciously lend aid, council or support in such undertakings, either publicly or privately,—shall, by the very act, incur the sentence of excommunication; corporations, moreover, which shall show themselves guilty in these matters, we place under the interdict.

We strictly command all prelates and ecclesiastical persons above mentioned, in virtue of their obedience, and under penalty of deposition, that they shall not hereafter acquiesce in any such demands, without the express permission of the aforesaid Chair. Nor shall they pay anything under pretext of any obligation, promise or declaration made in the past, or which may be made before this notice, prohibition or order shall be brought to their attention. Nor shall the above mentioned laymen in any way receive any such payments. And if the former pay or the latter receive anything, they shall incur, by the act itself, the sentence of excommunication. No one, moreover, shall be freed from the above mentioned sentences of excommunication or of the interdict, except in the article of death, without the authority and

special permission of the Apostolic See, since it is our intention to make no kind of compromise with such a horrible abuse of the secular power; and this notwithstanding any privileges, whatever their tenor, form or wording, conceded to emperors, kings or other persons above mentioned, for we will that such concessions as are in conflict with the preceding prohibitions shall avail no individual person or persons. Let no man at all, therefore, violate the page of this our decree, prohibition or order, or with rash assumption, contravene it. Whoever shall presume to attempt this, let him know that he shall incur the indignation of omnipotent God and of the blessed Peter and Paul, His apostles.

Given at Rome, at Saint Peter's, on the sixth day before the Kalends of March, in the second year of our Pontificate.

3. THE SO-CALLED LAW "LICET JURIS," AUG. 8, 1338.

From Altmann and Bernheim, Ausgewählte Urkunden, 2d Ed., pp. 44, 45. Latin.

The long struggle between Louis of Bavaria and the French popes at Avignon finally aroused the Electors, who had a natural interest in asserting their rights, to make a formal declaration of the independence of the Empire from papal control. Upon the resolutions which they drew up at Rhense (July 16, 1338), a diet, assembled at Frankfort, based the declaration given below.

Although the testimony of both kinds of law * manifestly proves that the Imperial dignity and power proceeded of old from the Son of God, and that God has clearly given laws to the human race through the emperors and kings of the world, and that the Emperor is made a true Emperor by the simple choice of those to whom his election belongs, nor needs the confirmation or approbation of any one else, since on earth [*in terris*] he has, so far as temporal matters are concerned, no superior, but the nations and the peoples are subject to him, and our Lord Jesus Christ Himself commanded to render unto God the things that are God's and unto Caesar the things that are Caesar's,—yet, in spite of these reasons, certain persons, led by the blindness of avarice and ambition, and having no understanding of scripture, but perverting the senses from the true interpretation, resorting to wicked and depraved inventions, attack the Imperial power and authority, the rights of the Imperial Electors and of other princes and of those faithful to the Empire, and falsely declare that the Imperial dignity and power is derived from the Pope, and that one who is elected Emperor is not

* The Civil and the Canon law.

a true emperor, or king, unless he be first confirmed, approved and crowned by the Pope, or through the Apostolic See. Since by these perverse assertions and pestiferous teachings, the Old Enemy stirs up strife and discord and breeds contention and seditions: We, therefore, for the purpose of avoiding these evils, with the counsel and approbation of the Electors and other princes of the Empire, *do declare* that the Imperial dignity and power is derived immediately from God alone, and that, according to law and the custom of the Empire, approved from of old, after any one shall be chosen Emperor or King by the Electors of the Empire, either unanimously, or by the greater part of them, he is straightway, from the simple fact of his election, to be considered and entitled true King and Emperor of the Romans, and should be obeyed by all subject to the Empire. He should, moreover, possess full power in administering the laws of the Empire, and in doing all those things which appertain to a true Emperor, nor does he require the approbation, confirmation, authority or consent of the Pope, the Apostolic See, or of any one whatsoever.

Therefore, by this law, which shall remain in force forever, we establish that he who is elected Emperor, either unanimously or by a majority of the Electors, shall be considered and held, in virtue of his simple election, to be the true and legitimate Emperor, and should be obeyed by all those subject to the Empire, and that he shall have, and shall be considered and definitely asserted to have, and to hold, the Imperial administration and jurisdiction and the plenitude of the Imperial power.

Moreover, those who shall presume to assert or declare anything contrary to these declarations, provisions and definitions, or any one of them, or shall give their assent to those asserting or saying anything against them, or obey their mandates, letters, or instructions, we deprive from now on, and, by the law itself and by their act, we declare to be deprived of all the fiefs which they hold from the Empire, as well as of all the favors, jurisdictions, privileges and immunities conceded to them by us or our predecessors. Moreover, we claim that they have committed the crime of lese-majesty and are subject to all the penalties incurred by those committing that crime.

Given in our town of Frankfort, on the eighth day of the month of August, in the year of our Lord, 1338.

IV. THE COUNCIL OF CONSTANCE AND ITS ANTECEDENTS.

The residence of the popes at Avignon during twenty-five years had done much to undermine their prestige. Avignon was so near France that the English and Germans suspected that the French king controlled the papal policy. Besides the national jealousies, there was an ever-increasing burden of papal taxation required to support the splendor and luxury which Petrarch, who lived much at or near Avignon, describes in the letter given below. The revenue which the popes formerly derived from their Roman possessions had been cut off since their departure from Rome, and this served to make financial pressure the more serious. When in 1378 Gregory XI. finally re-established the papal court in Rome, the French influence among the cardinals was still so strong that they found excuses for seceding from the newly-elected successor of Gregory XI., Urban VI., a harsh, fanatical monk. The seceding cardinals chose a second pope, Clement VII., on the ground that they had been intimidated in electing the unpopular Urban, and returned again to Avignon. Urban promptly created a new group of cardinals around him and thus the Great Schism began. The death of one of the two popes did not heal the schism, as the Cardinals immediately chose a successor in order to justify their claim to be the true elective body. There was thus no solution unless, as many began to assert, a general council of the Church was superior to the pope, and could depose one or both claimants, and so put an end to the scandal of rival successors to Peter. The first council called at Pisa in 1409 only made matters worse, for its deposition of the existing popes was not universally recognized and the choice of a new one only added to the confusion. The council of Constance met in 1414 with three great tasks before it: 1st., to heal the schism, which was accomplished by the deposition or resignation of the three existing popes and the election of Martin V.; 2d., the suppression of heresy and the trial of Huss; and 3d., the reformation of the church, in head and members. The necessity of reform had been emphasized by the confusion of the schism, which not only involved the papacy but extended to the bishoprics and abbeys, where there were frequently two rivals each supported by one of the popes.

The reader will find this subject admirably treated in Creighton's "History of the Papacy," Vol. I., and in Pastor's "Geschichte der Päpste," Vol. I.

1. PETRARCH ON THE PAPAL COURT AT AVIGNON.

Petrarchae Opera Omnia (Basle, 1581), Epistolae sine Titulo V. Latin.

I am now living in France, in the Babylon of the West. The sun, in its travels sees nothing more hideous than this place on the shores of the wild Rhone, which suggests the hellish streams of Cocytus and Acheron. Here reign the successors of the poor fishermen of Galilee; they have strangely forgotten their origin. I am astounded, as I recall their predecessors, to see these men loaded with gold and clad in purple, boasting of the spoils of princes and nations; to see luxurious palaces and heights crowned with fortifications, instead of a boat

turned downwards for shelter. We no longer find the simple nets which were once used to gain a frugal sustenance from the Lake of Galilee, with which, having labored all night and caught nothing, they took, at daybreak, a multitude of fishes, in the name of Jesus. One is stupefied nowadays to hear the lying tongues, and to see worthless parchments, turned by a leaden seal, into nets which are used, in Christ's name, but by the arts of Belial, to catch hordes of unwary Christians. These fish, too, are dressed and laid on the burning coals of anxiety before they fill the insatiable maw of their captors. Instead of holy solitude we find a criminal host and crowds of the most infamous satellites; instead of soberness, licentious banquets; instead of pious pilgrimages, preternatural and foul sloth; instead of the bare feet of the apostles, the snowy coursers of brigands fly past us, the horses decked in gold and fed on gold, soon to be shod with gold, if the Lord does not check this slavish luxury. In short, we seem to be among the kings of the Persians or Parthians, before whom we must fall down and worship, and who can not be approached except presents be offered. O, ye unkempt and emaciated old men, is it for this you labored? Is it for this that you have sown the field of the Lord and watered it with your holy blood? But let us leave the subject.

2. FROM DIETRICH VRIE'S HISTORY OF THE COUNCIL OF CONSTANCE.

Von der Hardt: Magnum Constantiense Concilium. Vol. I., 104–6. Latin.

The supreme pontiffs, as I know, are elected through avarice and simony, and likewise the other bishops are ordained for gold. These, in turn, will not ordain those below them, the priests, deacons, subdeacons and acolytes, except a strict agreement be first drawn up. Of this mammon of unrighteousness the bishops, the real rulers, and the chapters, each has a part. The once accepted proverb, "Freely give for freely ye have received," is now most vilely perverted: "Freely I have not received, nor will I freely give, for I have bought my bishopric for a great price, and must indemnify myself impiously for my untoward outlay. I will not ordain you as priest except for money. I purchased the sacrament of ordination when I became a bishop, and I propose to sell you the same sacred sign and seal of ordination. By beseeching and by gold, I have gained my office, for beseeching and for gold do I sell you your place. Refuse the amount I demand and you shall not become a priest."

If Simon Magus were now alive he might buy with money not only

the Holy Ghost, but God the Father, and Me,* the Son of God. But favor is bought from the ungrateful who do not the works of grace, for grace must give freely, but if bought and not given, grace is no longer grace.† But why say more? The bishops who take money for ordination become lepers with Gehasi. Those ordained do, by their bribery, condemn themselves to perdition with Simon Magus, to whom Peter said, "Thy money perish with thee."

3. EXTRACTS FROM NICHOLAS CLEMANGES' "DOWNFALL OF THE CHURCH."

Von der Hardt: Op. cit., Tom. I., Pt. III., 7 and 11. Latin.

Cap. III. On the Three Vices which have given rise to all the other ills in the Church.

After the great increase of worldly goods, the virtues of our ancestors being quite neglected, boundless avarice and blind ambition invaded the hearts of the churchmen. As a result, they were carried away by the glory of their position and the extent of their power and soon gave way to the degrading effects of luxury. Three most exacting and troublesome masters had now to be satisfied. *Luxury* demanded sundry gratifications, wine, sleep, banquets, music, debasing sports, courtesans and the like. *Display* required fine houses, castles, towers, palaces, rich and varied furniture, expensive clothes, horses, servants and the pomp of luxury. Lastly is *Avarice* which carefully brought together vast treasures to supply the demands of the above mentoned vices or, if these were otherwise provided for, to gratify the eye by the vain contemplation of the coins themselves.

So insatiable are these lords, and so imperious in their demands, that the Golden Age of Saturn, which we hear of in stories, should it now return, would hardly suffice to meet the demands. Since it is impossible, however rich the bishop and ample his revenue, to satisfy these rapacious harpies with that alone, he must cast about for other sources of income.

Chap. IX. The Institution of Collectors and the Ills they bring with them.

For carrying on these exactions and gathering the gains into the Camera, or Charybdis, as we may better call it, the popes appoint their

* This lament is put in the mouth of Christ.

† The word *gratia* permits a species of untranslatable pun in the Latin.

collectors in every province, those, namely, whom they know to be most skillful in extracting money, owing to peculiar energy, diligence or harshness of temper, those in short who will neither spare nor except but would squeeze gold from a stone. To these the popes grant, moreover, the power of anathematizing any one, even prelates, and of expelling from the communion of the faithful, every one who does not, within a fixed period, satisfy their demands for money. What ills these collectors have caused, and the extent to which poor churches and people have been oppressed, are questions best omitted, as we could never hope to do the matter justice. From this source come the laments of the unhappy ministers of the church, which reach our ears, as they faint under the insupportable yoke, yea, perish of hunger. Hence come suspensions from divine service, interdicts from entering a church, and anathemas, a thousand fold intensified in severity. Such things were resorted to in the rarest instances by the fathers, and then only for the most horrible of crimes; for by these penalties, a man is separated from the companionship of the faithful and turned over to Satan. But now-a-days, these inflictions are so fallen in esteem, that they are used for the lightest offence, often for no offence at all, so they no longer bring terror, but are objects of contempt.

To the same cause, is to be ascribed the ruin of numerous churches and monasteries and the levelling with the ground, in so many places, of sacred edifices, while the money which used to go for their restoration, is exhausted in paying these taxes. But it even happens, as some well know, that holy relics in not a few churches, crosses, chalices, feretories and other precious articles go to make up this tribute.

Who does not know how many abbots and other prelates, when they come to die, are, if they prove obnoxious to the papal camera on account of their poverty, refused a dignified funeral and even denied burial, except, perchance, in some field or garden or profane spot, where they are secretly disposed of. Priests, as we all can see, are forced by reason of their scanty means of support, to desert their parishes and their benefices and, in their hunger, seek their bread where they may, performing profane services for laymen. Some rich and hitherto prosperous churches have, indeed, been able to support this burden, but all are now exhausted and can no longer bear to be cheated of their revenue.

4. (a) DECREE "SACROSANCTA" OF APRIL 6, 1415.

Von der Hardt: Op. cit., Tom. IV., 98. Latin.

In the name of the Holy and indivisible Trinity; of the Father, Son, and Holy Ghost. Amen.

This holy synod of Constance, forming a general council for the extirpation of the present schism and the union and reformation, in head and members, of the Church of God, legitimately assembled in the Holy Ghost, to the praise of Omnipotent God, in order that it may the more easily, safely, effectively and freely bring about the union and reformation of the church of God, hereby determines, decrees, ordains and declares what follows:—

It first declares that this same council, legitimately assembled in the Holy Ghost, forming a general council and representing the Catholic Church militant, has its power immediately from Christ, and every one, whatever his state or position, even if it be the Papal dignity itself, is bound to obey it in all those things which pertain to the faith and the healing of the said schism, and to the general reformation of the Church of God, in head and members.

It further declares that any one, whatever his condition, station or rank, even if it be the Papal, who shall contumaciously refuse to obey the mandates, decrees, ordinances or instructions which have been, or shall be issued by this holy council, or by any other general council, legitimately summoned, which concern, or in any way relate to the above mentioned objects, shall, unless he repudiate his conduct, be subject to condign penance and be suitably punished, having recourse, if necessary, to the other resources of the law.*

(b) THE DECREE "FREQUENS," OF OCT. 9, 1417.

Von der Hardt: Op. cit., Tom. IV., 1436. Latin.

A frequent celebration of general councils is an especial means for cultivating the field of the Lord and effecting the destruction of briars, thorns, and thistles, to wit, heresies, errors and schism, and of bringing forth a most abundant harvest. The neglect to summon councils, fosters and develops all these evils, as may be plainly seen from a recollection of the past and a consideration of existing conditions. Therefore, by a perpetual edict, we sanction, decree, establish and ordain that gen-

* The rest of the decree relates to John XXIII., who, it is asserted, enjoyed full liberty at Constance and must not induce the members of the Curia to follow him.

eral councils shall be celebrated in the following manner, so that the next one shall follow the close of this present council at the end of five years. The second shall follow the close of that, at the end of seven years and councils shall thereafter be celebrated every ten years in such places as the Pope shall be required to designate and assign, with the consent and approbation of the council, one month before the close of the council in question, or which, in his absence, the council itself shall designate. Thus, with a certain continuity, a council will always be either in session, or be expected at the expiration of a definite time. This term may, however, be shortened on account of emergencies, by the Supreme Pontiff, with the counsel of his brothers, the cardinals of the Holy Roman Church, but it may not be hereafter lengthened. The place, moreover, designated for the future council may not be altered without evident necessity. If, however, some complication shall arise, in view of which such a change shall seem necessary, as, for example, a state of siege, a war, a pest, or other obstacles, it shall be permissible for the Supreme Pontiff, with the consent and subscription of his said brethren or two-thirds of them (*duarum partium*) to select another appropriate place near one determined upon, which must be within the same country, unless such obstacles, or similar ones, shall exist throughout the whole nation. In that case, the council may be summoned to some appropriate neighboring place, within the bounds of another nation. To this the prelates, and others, who are wont to be summoned to a council, must betake themselves, as if that place had been designated from the first. Such change of place, or shortening of the period, the Supreme Pontiff is required legitimately and solemnly to publish and announce one year before the expiration of the term fixed, that the said persons may be able to come together for the celebration of the council within the term specified.*

5. LIST OF ABUSES DEMANDING REFORM, DRAWN UP BY THE COUNCIL OF CONSTANCE. (OCT. 30, 1517.)

Von der Hardt: Op. cit., Vol. IV., 1452. Latin.

The holy council of Constance decrees and ordains that the Supreme Pontiff who shall next, by the grace of God, assume office, shall, in conjunction with this holy council, or with the deputies of the several

* The succeeding paragraphs of the decree relate to various methods for preventing future schism and to an oath to be taken by the pope on his election.

nations, reform the Church, before the council dissolves, in head and members, as well as the Roman curia, in accordance with justice and the proper organization of the Church, in all the respects enumerated below, which are presented by the *nations* as requiring reform:

The number, character and nationality of the Lords Cardinals.

The Reservations made by the Apostolic See.

The Annates both the *servitia communia* and *servitia minuta.**

The Collation to Benefices and Expectative Favors.

What cases are to be brought before the Roman Curia and what not?

Appeals to the Roman Curia.

The functions of the [papal] Chancery and Poenitentiary.

Exemptions and Incorporations made during the Schism.

Benefices *in Commendam.*

Confirmation of Elections.

Income during Vacancies.

The non-alienation of the possessions of the Roman Church or other churches.

For what reasons and in what manner shall a Pope be corrected or deposed?

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Dispensations.

The means of support of Pope and Cardinals.

Indulgences.

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* Of the Annates, a portion, the servitia communia, went to the Pope and Cardinals, while the servitia minuta fell to the lower officials of the chancery.

† It is possible to mention only a few of the most important and accessible of the works relating to the Church in the centuries immediately preceding the Protestant Revolution; but the student will find an abundance of references in the works indicated, which will carry him farther. Unfortunately, no important historical subject is more neglected in most of our libraries.

been produced in the field of history in the United States. Supplemented by the "History of Confession and Indulgences" (3 vols.; Lea Bros., 1896), it forms an indispensable source for the student of the Mediaeval Church. The work treats not only the Inquisitorial process, but deals with the spirit of the institution, the conception of of heresy and its treatment in relation to the jurisprudence of the time. The work forms, in short, a negative history of the movement of reform before 1500, depicting the methods of the Church for checking revolt and innovation and describing the *causes célèbres* of the Templars, Huss and Joan of Arc.

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